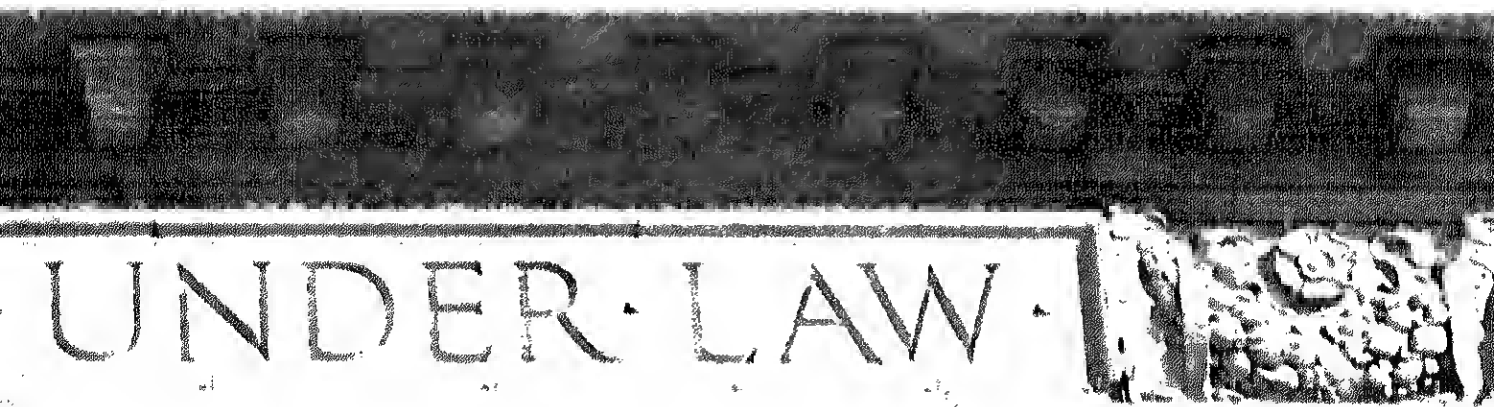


EQUAL JUST

Federal Law Enforcement  
and  
Criminal Justice  
Assistance Activities





To the Congress of the United States:

This is the first comprehensive report to the Congress and to the American people on what the Federal Government is doing to make the United States a safer and more just Nation.

It is responsive to President Nixon's initiatives to give priority status to fighting crime and upgrading the entire criminal justice system.

The report is required by the Congress for a public accounting of the "law enforcement" and "criminal justice assistance" activities of the Federal Government. While some of these Federal activities are reported on to the Congress annually by individual agencies, there has been until now no overall description of all Federal operations and programs in the reduction of crime and delinquency.

This is that overall report. It includes the submissions of 36 departments and agencies in addition to that of the Department of Justice itself. It includes a dozen essays on subject areas of primary importance in law enforcement today. It includes an Introduction which analyzes Federal anti-crime efforts on a functional basis.

It includes many firsts:

- [ ] The first official analysis of many departments and agencies in terms of their law enforcement functions;
- [ ] The first Government-wide narrative compilation of all criminal justice assistance programs for States and cities;
- [ ] The first comprehensive report on all federally supported crime reduction programs in the National Capital;
- [ ] The first authoritative reporting in one volume on all Federal efforts in such areas as Narcotics and Dangerous Drugs, Organized Crime, Juvenile Delinquency, Corrections, Civil Disorders, White Collar Crime, Passenger and Cargo Security, Bombs, and Research; and
- [ ] The first exhaustive definition of the role of the Department of Defense in assisting civil authorities in controlling civil disorders and in other aspects of crime control and reduction.

The compilation of this report proved to be a formidable task. The Congress required the first of these annual reports to be submitted by October 1, 1971. Attorney General John N. Mitchell submitted an interim report to the Congress on that date and advised the Congress that he intended to develop a "wide-ranging and complete" report in order to respond fully to the broad requirement set out by the Congress. The supplementary report, the Attorney General said, would include "extensive and complete data on relevant programs. . . ."

This report is transmitted in fulfillment of that promise of Attorney General Mitchell. The number of agencies and programs involved has grown since that *interim* report, as research turned up more and more crime prevention and reduction programs throughout the Government.

It was decided, also, to illustrate the report in order to give the Congress a better visual idea of many Federal programs.

The result is a report of great breadth and depth, a report that I hope will be of material assistance to the Congress, to members of the executive branch, to the law enforcement and criminal justice community, and to the public.

It has been necessary to include material and statistics reflecting activities prior to FY 1971 as well as material reflecting activities of FY 1972, in order to give as complete a picture as possible of Federal law enforcement and assistance programs.

Following submission of the first report last year, as work progressed on this volume, it became apparent that the scope and length of this second report would have to be much greater than originally envisioned.

The nature of Federal law enforcement and assistance activities is so broad that a year has been spent in compiling this volume in order to fully meet the requirements of the Congress. Its length alone—more than 500 pages—testifies to the fact that the executive branch has been very sensitive to its obligation for a full and comprehensive report. The statute requires that a report be submitted within 90 days after the close of a fiscal year. The report submitted last year filled the initial requirement. As noted at that time, a more comprehensive report would follow. This second report—of such an exhaustive nature—resulted. For the reasons outlined, and because of the inclusiveness of this volume, it is intended to fulfill the second-year reporting requirement.

This report should help Members of the Congress to assess and evaluate the performance of the Government in carrying out mandates of the Congress in the reduction of crime and delinquency. It should assist the Congress in formulating new policies and programs and in supporting or changing existing programs.



Government.

Finally, this report should go far in assisting the public in understanding the broad and diverse role of the Federal Government in making this Nation a safer place in which to live.

## A National Attack on Crime

President Nixon took office early in 1969 with the clear intention to answer the demands of Americans to do something about the problem of crime.

- ☐ Crime rates had been rising in the 1960's with no apparent tapering off in sight;
- ☐ Narcotic addiction and chronic drug abuse were increasing at an alarming rate;
- ☐ Organized crime thrived and appeared to be expanding its influence;
- ☐ Delinquency rates among the Nation's youth were rising;
- ☐ A large number of major civil disorders and campus riots had alarmed many citizens; and
- ☐ Spiraling street crime in the District of Columbia symbolized a threatened breakdown of police protection in the Nation.

Under the leadership of the President, the Federal Government mounted the most comprehensive and vigorous attack on crime in the history of the Nation, expanding and improving existing programs, adding new ones, and increasing Federal support of State and local law enforcement efforts.

An effort of unprecedented magnitude was launched against narcotic addiction and drug abuse. New offices were established to coordinate Federal efforts and to enforce criminal laws against traffickers at all levels. A Cabinet-level committee was formed to coordinate efforts to reduce the flow of heroin into the Nation. Rigorous new customs inspection procedures were implemented to stop the importation of heroin. The Department of Defense initiated special programs to treat GI's who had become exposed to narcotics and drugs.

The President ordered an all-out assault on organized crime. Department of Justice strike forces increased from seven to 18 since the beginning of 1969. A Cabinet Committee was formed to coordinate all Federal efforts against organized crime. Funding support for States' organized crime programs was doubled. Staff manpower in the Organized Crime and Racketeering Section of the Department of Justice increased from 68 in 1968 to 134 in the spring of 1972. The number of assistant United States attorneys, who handle much of the prosecution workload, increased by 40 percent. And the Organized Crime Control Act of 1970, proposed by the Administration, developed a comprehensive approach involving special grand juries, witness immunity and protection, illegal gambling prosecution, and witness detention.

The Administration implemented new juvenile delinquency legislation that established an interdepartmental council to coordinate, for the first time, all Federal programs in this area. Funding for State juvenile delinquency programs assumed a high priority.

The role of the Law Enforcement Assistance Administration was greatly expanded. The President proposed and the Congress provided massive increases in funds for State and municipal crime reduction programs—raising LEAA funding from \$63 million in FY 1969 to \$699 million in FY 1972. LEAA provides funds, policy guidance, and technical expertise for States and cities across-the-board—in police, courts, and corrections programs, in organized crime and civil disorders programs, and, increasingly, in juvenile delinquency and narcotics and dangerous drug programs. A major new LEAA effort—the High Impact Anti-Crime Program—is aimed at sharply reducing street crime and burglaries in eight of the Nation's major cities.

President Nixon identified the Nation's prison system as more of a perpetuator of criminal careers than a rehabilitator of wrongdoers. He issued a major directive soon after assuming office, ordering a large-scale program to improve the Federal corrections system. He convened a landmark national conference on corrections. He formed an interagency council to coordinate Federal efforts in corrections. He proposed—and the Congress approved—a major new funding program through which LEAA is assisting States in upgrading their correctional facilities and programs.

Only days after assuming office, President Nixon ordered an all-out effort against crime in the Nation's Capital. LEAA and other Federal agencies began a coordinated and steadily escalating attack on street crime and other forms of crime. Police patrols were increased sharply. Legislation reforming the D.C. criminal justice system was enacted by the Congress in an effort to bring about a more efficient administration of justice.

The Nixon Administration undertook a large number of other programs—to increase the number of FBI agents; to protect the environment through more vigorous prosecution of polluters violating Federal law; to develop the first Public Defender Service in the Federal system; to bring Federal law on narcotics, marijuana, and dangerous drugs more into line with current scientific knowledge; and to increase support of the Community Relations Service in its efforts to help communities resolve disputes and difficulties arising out of discrimination based on race, color, or national origin.

Nation could with some justification look forward fairly soon to the day when the crime rates would cease to grow and would, instead, actually begin to decline.

Another sign was that a growing number of cities had been able to make an actual reduction in crime. In 1971, 51 of the Nation's major cities reported that their rates of serious crime had dropped from the prior year.

By July 1972, the FBI reported that serious crime in the Nation increased 1 percent in the first quarter of 1972—the lowest percentage increase in 11 years.

In addition, 80 of the largest cities in the Nation reported an actual reduction of serious crime in the first 3 months of 1972. Similar decreases had been reported by 59 cities in the same period in 1971 and by 22 cities in the same period in 1970.

Six cities with populations of more than 1 million registered the most significant change in this reporting period. The number of serious crimes in those cities was reduced by 6 percent in comparison with the same period in 1971.

In the District of Columbia, the combined efforts of Federal and city agencies were rewarded with heartening indications that the wave of crime had been reversed. For the first quarter of 1972, crime in the National Capital was down more than 30 percent from the same period in 1971. And, for all of 1971, crime was 13.3 percent lower than it had been in 1970.

There were other signs of progress—in the steep rise in indictments of narcotics traffickers and organized crime figures; in the response of States and cities to the President's leadership on such issues as corrections and juvenile delinquency; and in the sharp decrease in civil disorders and violence.

## Cooperative National Effort

An unprecedented attack on crime has been carried out under the President's leadership—by the Federal Government and by State and local governments. From the beginning of his anticrime efforts, the President has said that the basic responsibilities for law enforcement and criminal justice rest with the States and localities.

Most crime in the Nation is State and local crime. The President's program has had a dual nature: first, to expand and enhance all Federal law enforcement and crime prevention efforts; second, to make available to State and local governments immense amounts of financial and technical assistance for the improvement of their own anticrime programs.

It remains the basic responsibility of State and local governments to protect the citizen in his daily life. The Constitution recognizes the practicality and desirability of this division of responsibility.

In the past 3½ years, a new spirit of cooperation has spread through Federal, State, and local law enforcement and criminal justice agencies. Federal leadership from the President and Federal assistance from LEAA and other agencies have helped to instill and stimulate this spirit. Local demands for action and reform have helped give this spirit its strength.

The result of this new Federal-State-local cooperation is salutary. It means a more precise pinpointing of responsibilities in government. The Federal Government is providing leadership and funds. State governments are allocating Federal assistance to cities and are reforming their criminal codes and their corrections systems. Local police departments and criminal justice agencies are mounting major efforts against crime at its very roots.

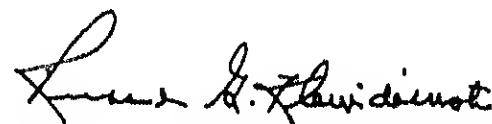
An immense share of credit for early success in the national effort against crime must go to people at the State and city levels. Tens of thousands of men and women are at work in law enforcement and criminal justice agencies—making the system respond and perform. They are seizing the initiative. They are creating innovative programs. They are finding local solutions to local problems.

There are others—public officials, educators, civic and religious leaders, and many young people—all involved in this unparalleled effort to reduce crime across the Nation.

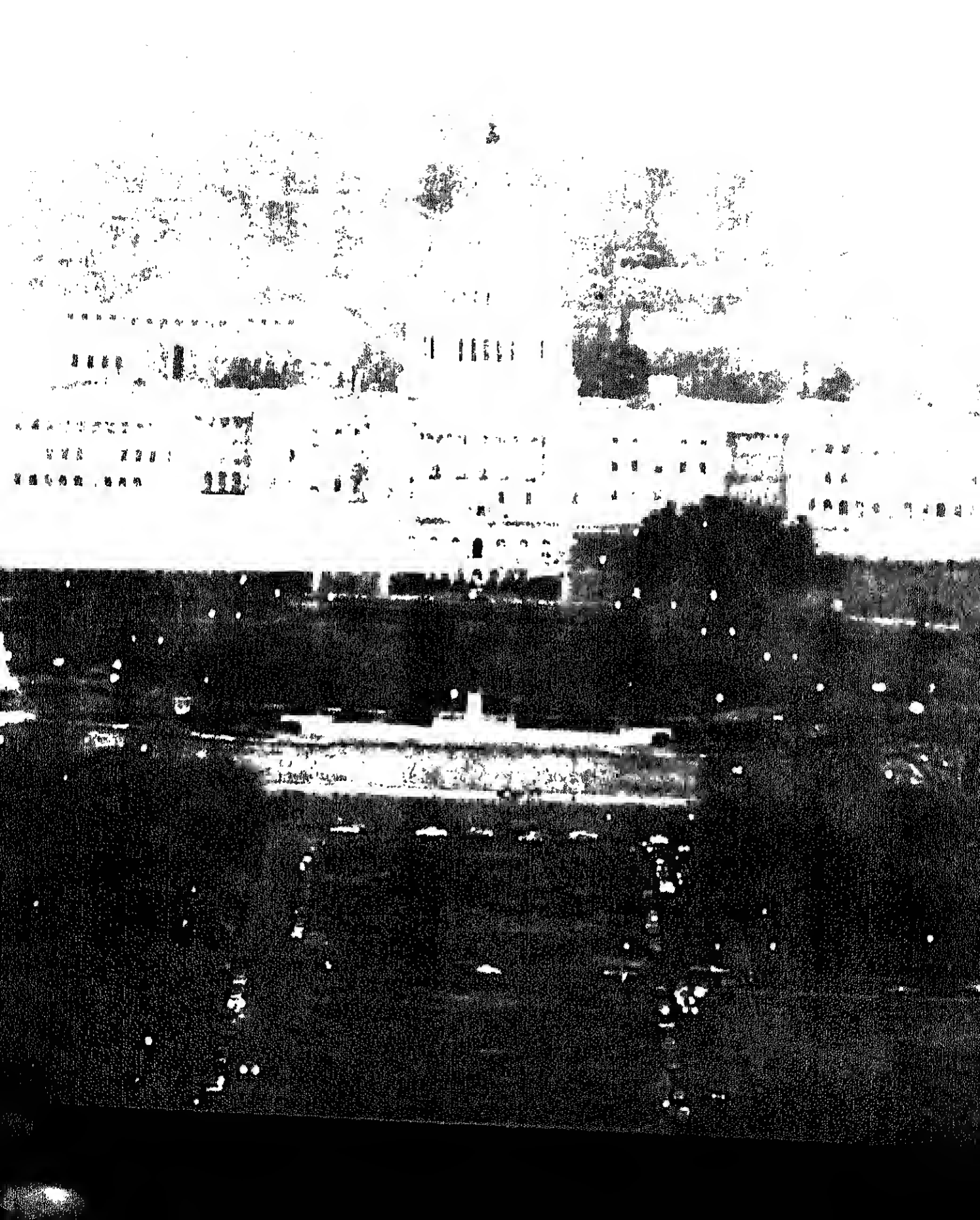
This report is about the contribution the Federal Government is making to this massive national cooperative effort. That contribution is large and it is still growing. It will continue until crime and delinquency are reduced and controlled throughout the United States.

Through this developing Federal-State-local cooperative effort, this goal is being attained.

I have the honor, therefore, to transmit herewith the Attorney General's First Annual Report on Federal Law Enforcement and Criminal Justice Assistance Activities, pursuant to the requirements of Section 12 of the Omnibus Crime Control Act of 1970 (P.L. 91-644).



Richard G. Kleindienst  
Attorney General



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Secret Service agents provide protection for President Nixon.

local agencies involved, have the same goals—the prevention and reduction of crime.

Each works in a different way to achieve that goal, but the design of these programs and the work of these agencies is being coordinated on a scale as never before.

Law enforcement agencies either operated by the Federal Government or supported in part by Federal funds detect and arrest violators.

At the same time, Federal programs or funds seek to improve the courts, so that trials of the accused are swifter and more fair.

While attention is paid to improving prosecutors' offices, attention is also paid to improving legal services for the indigent.

If law enforcement and prosecution efforts result in conviction of the accused, major efforts are then made, through Federal programs and Federal funding, for rehabilitation.

For every crime prevented, a potential victim is saved.

There is a dual purpose in the rehabilitation of offenders. One is to salvage the life of the offender himself, and at the same time to salvage the lives of those dependent on him—his wife, his children, his family. The other is to prevent him from claiming more victims. An offender discharged who has not been diverted from crime may

salvage his useful citizenship.

One example of the diversity of the President's anti-crime efforts is in the area of narcotics and drug abuse.

As this report details, the narcotics program is diverse and complex.

- || It involves public education to warn the young about the perils of narcotics and drug use.
- || It involves heightened enforcement—to prevent drugs from entering the country and to crack down on those who traffic in them.
- || It involves efforts to rehabilitate narcotics addicts through a variety of programs.
- || And it involves extensive research—ranging from the reasons that compel persons to use narcotics to the search for effective medicines, the so-called antagonists, that can successfully block the craving for narcotics while the addict undergoes therapy and rehabilitation.

The President's anti-crime programs are tough, but they are enlightened. They are progressive, but they are effective. They are even humble. And they seek first to reduce crime and, by doing that, also to reduce the fear of crime which can so erode the quality of life for the American people.

In this report, there are detailed accounts of Federal law enforcement activities.

Under the President's leadership, the Federal Bureau of Investigation has substantially expanded its manpower, and achieved record levels of success. The FBI has made unprecedented attacks on organized crime, on illegal gambling, and in dozens of other areas for which it has investigative responsibility.

Under the President's leadership, the enforcement manpower for narcotics and drug enforcement also has greatly increased—with record seizures resulting, among other things.

And the same increased level of enforcement activities holds true in other areas of Federal jurisdiction—postal violations, obscene material, stock frauds, cargo thefts, tax evasion, corruption in public office.

Most crimes, however, fall under State and local jurisdiction. Because of that, the President has increased Federal aid to State and local law enforcement and criminal justice agencies to the highest levels in the Nation's history.

In an area entirely different from those usually associated with crime prevention, law enforcement, corrections, and rehabilitation, the Federal Government is engaged in a wide range of programs to eliminate the causes of crime altogether.

Under the President's leadership, the Government is studying the causes of criminal activity, including the reasons why, for example, some youths turn to crime and others do not and why some building designs or park layouts are dangerous and others appear not to be.

The Government is concerned with keeping young first

devotes a number of programs to crime reduction through improvement of neighborhood living conditions. It is enhancing security and police activity in public housing projects and, through its Model Cities Program, assisting cities in developing crime reduction programs.

The Office of Economic Opportunity is attacking root causes of crime through programs to eliminate poverty, undereducation, and unemployment. This Office also works to assist the ex-offender in obtaining employment.

The Department of Labor has a number of programs to assist the ex-offender in finding and holding a good job. These programs begin with training of the offender while he is incarcerated. They assist the individual when he is released through such programs as one which helps ex-offenders obtain bonding when their job requires it and bonding companies are unwilling to provide bond.

A fuller understanding of the role of the Federal Government in the national effort against crime can be gained from the following description of Federal activities in functional terms.

Following this Introduction are essays on subject areas of importance. Finally, this report contains 37 chapters from all Federal departments and agencies having programs in law enforcement or criminal justice assistance.

## The Federal Government and Crime

Some Federal law enforcement activities are long established and familiar to the general public. Few citizens have not heard of the Federal Bureau of Investigation, the United States Secret Service, the Bureau of Customs, or the Internal Revenue Service.

Other activities of the Federal Government that relate to crime prevention or control are not so familiar. The Government's wide-ranging assistance to State and local law enforcement may be less widely known. Nor are many people necessarily aware of how many different departments and agencies are involved in combating the problem of crime.

The Federal program is a comprehensive effort that ranges from intensive research into the causes of crime to rehabilitation of offenders for reintegration into society.

Much Federal effort, of course, is expended in the three principal law enforcement areas: police, courts, and corrections.

Many Federal departments and agencies investigate Federal crimes falling within their jurisdictions. Federal crimes are prosecuted by Department of Justice lawyers. A correctional system is maintained to punish and rehabilitate Federal offenders. State and local police forces and correctional systems are the beneficiaries of Federal assistance programs. Legal counsel is provided for indigent defendants.



Police training in Los Angeles Police Department.

Efforts are being concentrated on specific areas of criminal activity, such as organized crime and white collar crime. Security measures against air hijackings, bombings, street crime, and narcotics smuggling are being stringently enforced.

Other major areas of Federal effort, however, center on preventing criminal behavior by attacking acute social problems such as juvenile delinquency, offender recidivism, and heroin addiction and drug abuse.

The Department of Health, Education, and Welfare and the Office of Economic Opportunity both work to turn potential lawbreakers to lawful pursuits, and to enable ex-offenders to lead satisfying, productive, law-abiding lives.

The Department of Housing and Urban Development has programs to stamp out substandard living environ-



ments where hope and ambition can turn to bitterness and crime.

Other Federal agencies are conducting research into the nature and extent of crime and its causes. Doctors and scientists at the National Institute of Mental Health are studying the psychological and physiological aspects of crime and delinquency. The National Institute of Law Enforcement and Criminal Justice conducts research to improve all aspects of the criminal justice system.

Another body of law is administered by those agencies which are given a broad mandate to regulate industries and practices falling within their areas of jurisdiction. These regulatory agencies also had law enforcement responsibilities during the year, although of a lesser magnitude than many others included in this report.

The Federal program is coordinated by departments and agencies working together at the highest levels to formulate policies related to their common interests and to eliminate duplication of effort. They share information or technical know-how, and their agents work together on interdepartmental enforcement teams.

## Cost of Crime Reduction

Since President Nixon assumed office 3½ years ago, Federal outlays for crime reduction have more than doubled. By the end of FY 1972, the amount spent on crime reduction programs will have more than tripled, reflecting the extent of the many and diverse crime reduction programs initiated and expanded under the Nixon administration.

According to figures compiled by the Office of Management and Budget (OMB), part of the Executive Office of the President, Federal outlays for crime reduction programs in FY 1971 totaled \$1,348,204,000, which was more than was spent for those programs in FY 1970 (\$856,916,000). In FY 1968, \$530,643,000 was spent by the Federal Government, and in FY 1969, \$658,353,000. By FY 1972, OMB estimates that expenditures will reach \$1,968,996,000.

OMB reports that of the FY 1972 expenditures, 36 percent was directed to assisting State and local governments, compared with 31 percent in FY 1971 and 21 percent in FY 1970.

The OMB analysis does not include expenditures for the Department of Defense. OMB estimates, however, that Department of Defense outlays for crime reduction were \$605,317,000 in FY 1970, \$615,519,000 in FY 1971, and \$604,897,000 in FY 1972.

Crime reduction programs. It is included in a volume entitled *Special Analyses*, which accompanies the Budget of the United States Government when it is transmitted by the President to the Congress each year.

**Total expenditures.** A study completed for the Law Enforcement Assistance Administration showed that almost \$8.6 billion was spent on all forms of law enforcement and criminal justice in the United States in the 12 months ending June 30, 1970. The survey was conducted by the Bureau of the Census through an interagency agreement with LEAA. It covered expenditures of the Federal, State, and local governments and reflected the full-time employment of almost 750,000 persons.

The study showed that about \$5 billion, or almost three-fifths of the total, was spent to support police activities. The remainder was spent as follows: almost \$1.2 billion for judicial activities; almost \$112 million for prosecution; \$102 million for indigent defense; \$1.7 billion for corrections; and \$50 million for other criminal justice activities.

The study was published by LEAA in 1972 under the title *Expenditure and Employment Data for the Criminal Justice System: 1969-70*.

## Federal Outlays for the Reduction of Crime by Agency

[In thousands of dollars]

Agency	Outlays	
	Fiscal year 1971 actual	Fiscal year 1972 estimate
The Judiciary.....	\$10,704	\$70,132
Executive Office of the President.....		2,000
Office of Economic Opportunity.....	15,500	18,200
Department of Agriculture.....	4,511	4,665
Department of Commerce.....	800	1,100
Department of Health, Education, and Welfare.....	90,510	166,197
Department of Housing and Urban De- velopment.....	17,228	26,450
Department of the Interior.....	22,910	23,104
Department of Justice.....	742,641	1,043,907
Department of Labor.....	14,373	32,700
Department of State.....	53,598	141,771
Department of Transportation.....	38,938	51,497
Department of the Treasury.....	167,894	228,592
Atomic Energy Commission.....	104	—
General Services Administration.....	38,513	43,551
National Aeronautics and Space Admin- istration.....	1,342	987
Postal Service.....	32,654	39,054
Veterans Administration.....	37,560	66,034
Other independent agencies.....	399	255

Total Federal Outlays..... \$1,348,204 \$1,968,996

Source: Office of Management and Budget

## Executive Policy Formulation and Implementation

The President of the United States is vested with the power to formulate policy relating to law enforcement and criminal justice for the executive branch of the Government. He is aided in this mission by the Domestic Council, which formulates and coordinates recommendations in this area, and by the Office of Management and Budget, which is responsible for policy implementation.

**Domestic Council.** In its role as policy advisor to the President, the Domestic Council assesses national needs and coordinates the establishment of national priorities. The Council provides a rapid response to Presidential needs for policy advice on domestic issues, such as crime reduction, and maintains a continuous review of ongoing programs from a policy standpoint.

In addition to the President, the Council is composed of the Vice President, the Attorney General, all Cabinet-level Secretaries except State and Defense, and such heads of agencies as the President may designate.

**Office of Management and Budget.** The Office of Management and Budget (OMB) is a principal staff arm of the President. Its responsibilities to the President in the field of law enforcement and criminal justice parallel its duties in other fields. It aids in the preparation, analysis, review, and execution of the Federal budget for law enforcement activities; it coordinates the review of pertinent legislation; and it undertakes studies of management, organization, performance, or coordination of law enforcement programs as directed by the President.

The Office also frequently works closely with the Domestic Council staff and other Federal agencies in the development of programs of high Presidential interest.

Through its divisions, OMB continually monitors development and implementation of law enforcement programs, conducts special studies, and supplies technical assistance.

For example, the General Government Programs Division concerns itself with the programs and operations of particular agencies of the executive branch, which include those with law enforcement responsibilities.

The Management Information and Computer Systems Division has developed performance management systems which the Division has applied to selected areas of law enforcement. In May 1972, the Division completed a problem analysis of the crime reduction program for the Law Enforcement Assistance Administration.

The Organization and Management Systems Division

## Coordinating Federal Policies and Activities

President Nixon has taken the initiative in many areas to assure that the vast resources of the Federal Government and the diversity of programs on all fronts of the national effort against crime are coordinated. Under his direction, many interagency committees to coordinate Federal policies and activities in areas relating to crime reduction have been formed.

These interagency councils and committees formulate policy for a concerted and coordinated attack on the problems in their areas of responsibility. They work to identify problems, eliminate duplication of effort, integrate knowledge, and formulate strategies to combat criminal activity.

During FY 1971, coordinating committees were operative in the areas of juvenile delinquency, organized crime, international narcotics traffic, drug abuse, corrections, air security, cargo security, communications, and urban information. Many of these, including the committees working in the areas of juvenile delinquency, domestic and international narcotics traffic, and cargo and passenger security, were initiated under President Nixon's administration.

**Juvenile delinquency.** The 1971 amendments to the Juvenile Delinquency Prevention and Control Act of 1968 created the Interdepartmental Council to Coordinate Federal Juvenile Delinquency Programs.

The Council is composed of five major members, representing the Departments of Justice, Labor, Housing and Urban Development, and Health, Education, and Welfare, and the Office of Economic Opportunity. The Council also has three minor members: the Departments of Agriculture, the Interior, and Transportation, and two ex-officio members: the Office of Management and Budget and the Special Action Office for Drug Abuse Prevention. The Attorney General is Chairman of the Council, and he has delegated this function to the Administrator of the Law Enforcement Assistance Administration.

The Council has set up three task forces composed of members of participating agencies whose purpose is to study coordination of efforts, evaluation of programs, and management techniques.

**Organized crime.** By Executive order of the President, the National Council on Organized Crime was created on June 4, 1970. Composed of Cabinet-level officials, the Council provides guidance, strategy, and coordination on a national level in the fight against organized crime. It operates primarily in the area of policy formulation, such as deciding on the location of new strike forces.

Membership in the Council consists of the Attorney General, who serves as Chairman, the Secretaries of the Treasury and Labor, the Postmaster General, and the Chairman of the Securities and Exchange Commission.

Other members from the Department of the Treasury are the Assistant Secretaries for Enforcement and Operations and for Tax Policy; the Commissioners of the Bureau of Customs and of the Internal Revenue Service; the Director of the United States Secret Service; and the Chief Counsel of the Internal Revenue Service.

The Council has set up six regular staff committees to analyze current needs and efforts in their areas, and

and Agriculture; the Permanent United States Representative to the United Nations; and the Director of the Central Intelligence Agency. The Chairman of the Cabinet Committee is the Secretary of State.

The Cabinet Committee directed the preparation of 57 "Narcotics Control Action Plans" laying out a definitive course of action for attacking the international narcotics traffic in each of 59 hard drug producing and



(Photo by Marc and Evelyn Bernheim from Rapho Guillemette Pictures.)

suggest methods of remedying problems. The areas of responsibility are narcotics; gambling rackets; infiltration of business; labor; State and local efforts against organized crime; and counterfeit and stolen funds, securities, and credit cards.

**Narcotics traffic and drug abuse.** An important area of coordinated Federal effort has been the control of narcotics trafficking and drug abuse.

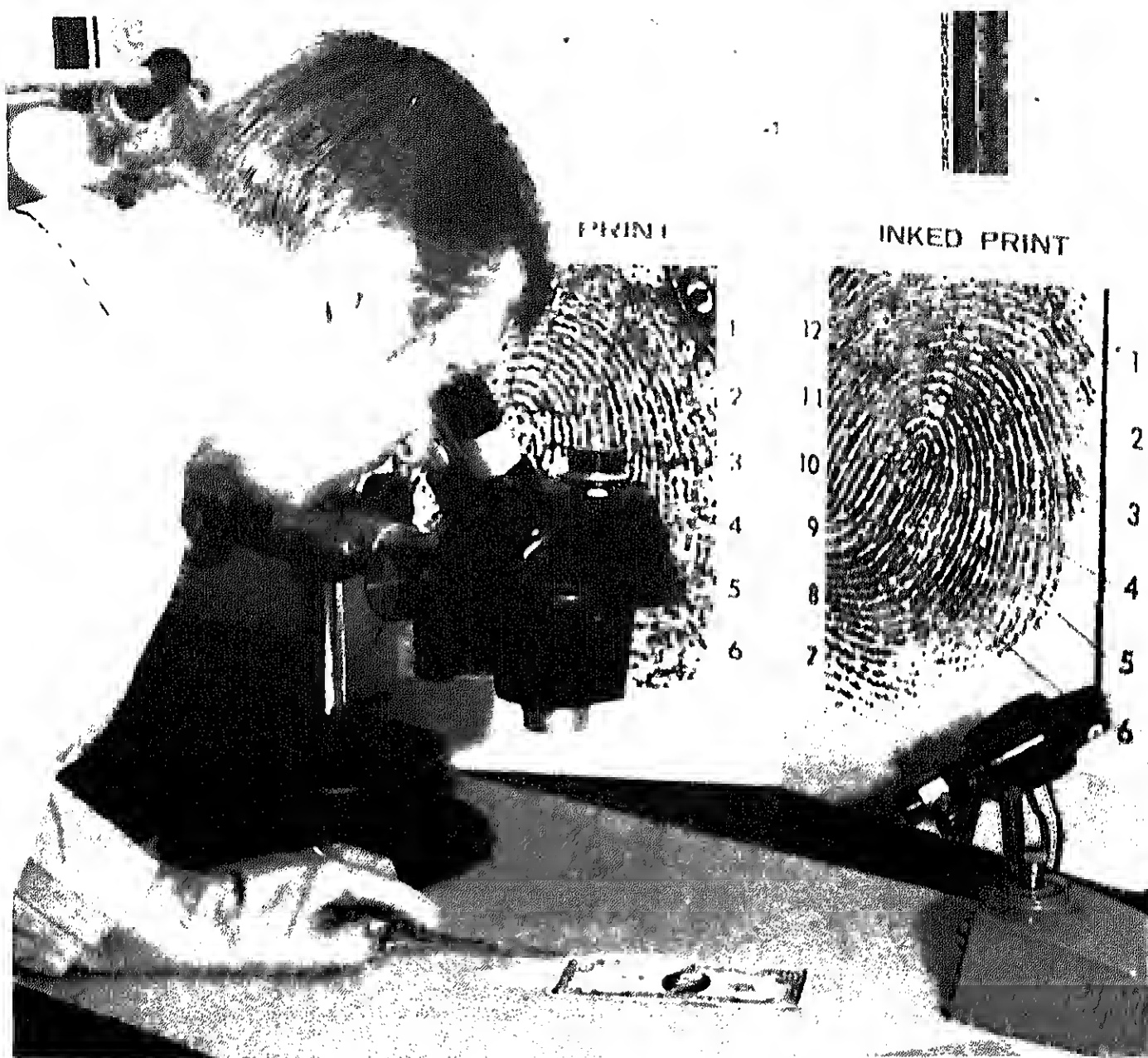
President Nixon has launched a comprehensive all-out attack on drug abuse, which he labeled "public enemy number one." Direct Federal spending in this area has increased eleven-fold from \$65 million in FY 1969 to \$729 million in FY 1973. The Federal antinarcotics effort falls into three general categories, coordinated by the President's Domestic Council.

transiting countries. Each plan was reviewed and approved by interagency subcommittees of the Cabinet Committee and is now in the process of being implemented in cooperation with the governments involved.

In the area of domestic law enforcement, which is the second major area of coordinated effort, five agencies are involved in stemming domestic trafficking in illegal drugs. These agencies are the Bureau of Customs and the Internal Revenue Service (IRS) in the Department of the Treasury, and the Bureau of Narcotics and Dangerous Drugs (BNDD), the Office of Drug Abuse Law Enforcement, and the Law Enforcement Assistance Administration in the Department of Justice.

The Bureau of Customs, through passenger and cargo inspection and through intelligence shared with other agencies, seizes illegal narcotics and dangerous drugs at international borders.

The Internal Revenue Service has a special narcotics unit of more than 400 tax investigators to investigate suspected narcotics wholesalers and financiers.



Secret Service identification specialist examines latent fingerprints on counterfeit notes.

viding the coordination and policy guidance for Federal and State programs in these areas. Federal expenditures for treatment, rehabilitation, education, and training have increased from \$65 million in FY 1969 to more than \$480 million in FY 1973.

Civil Aviation Security was formed. This committee is composed of members of the Departments of Transportation, the Treasury, Justice, Defense, and State. Its Chairman is the Assistant Secretary for Safety and Consumer Affairs of the Department of Transportation.

Cargo thefts. The Interagency Committee on Transportation Security was formed in June 1971 to combat cargo thefts. Membership is composed of representa-

**Urban information.** The Urban Information Systems Interagency Committee is studying municipal information systems as one aspect of its work. This study is being conducted in five cities to test whether computer-based municipal information systems serving day-to-day operational city activities can improve local governments.

The committee is composed of representatives of the Departments of Housing and Urban Development, Transportation, Health, Education, and Welfare, Justice, Labor, and Commerce; the Offices of Economic Opportunity and Management and Budget; the National Science Foundation; and the Defense Civil Preparedness Agency.

## Other Areas of Cooperation

In addition to high-level coordinating committees, cooperation among Federal departments and agencies takes a variety of forms, including interagency enforcement groups; contractual agreements between departments or agencies; and areas in which two or more departments or agencies have concurrent jurisdiction.

**Concurrent jurisdiction.** Departments and agencies occasionally share responsibility for enforcing a Federal statute.

For example, the Bureau of Alcohol, Tobacco, and Firearms (BATF) of the Department of the Treasury, which prior to July 1, 1972, was a division of the Internal Revenue Service, and the FBI have concurrent responsibility for enforcing title XI of the Organized Crime Control Act of 1970, pertaining to explosives-connected offenses. The Postal Inspection Service has investigative jurisdiction over bombs and explosives sent through the mails or directed at postal facilities.

BATF and the FBI recently adopted temporary guidelines allocating investigative responsibilities. Under these guidelines, the FBI is authorized to make a full investigation of bombings directed at Federal property, at a Federal function, other than property or functions of the Department of the Treasury which are the responsibility of BATF, or at a diplomatic facility; and bombings on college campuses if a non-Treasury Federal function or property is involved.

BATF is responsible for crimes relating to interstate transportation or receipt of explosives with unlawful intent, bomb threat, or false information through an instrument of commerce, and possession of explosives in a building used by the United States, only where Department of the Treasury property or functions are involved. BATF has sole responsibility for administering the regulatory provisions of the act.

Another example of concurrent jurisdiction involves the Narcotic Addict Rehabilitation Act of 1966, under which the Bureau of Prisons of the Department of Justice administers the provisions of title II, which provides for treatment of narcotics addicts who are Federal prisoners.

**Interagency agreements.** Federal departments and agencies occasionally enter into agreements with other departments and agencies to conduct special projects.

The National Institute of Law Enforcement and Criminal Justice, part of the Law Enforcement Assistance Administration, has entered into a number of these, including several with the Department of Commerce.

Under such agreements, the Bureau of the Census conducted projects to compile statistics on various aspects of the criminal justice system.

Under another agreement, the National Bureau of Standards was commissioned to develop voluntary performance standards to help law enforcement agencies select, evaluate, and procure equipment.

**Information sharing.** Various Federal departments and agencies provide information on a regular or ad hoc basis to other elements of the Federal Government.

The National Crime Information Center, maintained by the FBI, stores data concerning stolen property or wanted persons, which is immediately available to any agency tied into the system.

Agencies which discover evidence relating to organized crime in the course of their activities may relay this information to other interested departments or agencies.

**Coordinated enforcement activities.** To provide a concentrated preventive, investigative, or prosecutive effort against areas of criminal activity, various departments and agencies have pooled resources to form coordinated enforcement groups.

Strike forces to combat organized crime are the premier example of this cooperation. Coordinated through the Organized Crime and Racketeering Section of the Criminal Division of the Department of Justice, the strike forces are composed of agents from the Bureau of Narcotics and Dangerous Drugs of the Department of Justice; the Labor-Management Services Administration of the Department of Labor; the Internal Revenue Service, the Bureau of Alcohol, Tobacco, and Firearms, the United States Secret Service, and the Bureau of Customs of the Department of the Treasury; the United States Postal Service; and the Securities and Exchange Commission. There are usually five attorneys from the Organized Crime and Racketeering Section on each strike force.

The Office of Drug Abuse Law Enforcement (DALE), created by Executive order of the President on January 28, 1972, helps to coordinate efforts against street-level drug traffickers. New enforcement tools at the disposal of the Office, including special grand juries used to obtain evidence against drug traffickers, were provided by the Organized Crime Control Act of 1970.

DALE, which is part of the Department of Justice, is enlisting the support of the Department of the Treasury and the United States Postal Service to aid State and local agencies in the detection, arrest, and prosecution of persons engaged in the narcotics trade.



The Federal Reformatory for Women in Alderson, W. Va.

Another example of coordinated enforcement activity is the air security program.

The original air guard force was drawn from the Department of the Treasury, the Federal Aviation Administration, the FBI, and the Department of Defense. A permanent sky marshal force was formed shortly afterward, staffed with personnel from the Bureau of Customs in the Department of the Treasury. The United States Marshals Service, part of the Department of Justice, helps in the air security effort by providing personnel to conduct preboard screening on the ground.

**Budget analysis.** The Federal Government monitors its widespread expenditures in crime reduction through an annual special analysis of the Federal budget by the Office of Management and Budget (OMB), part of the Executive Office of the President.

Through this analysis, the Government is able to provide itself, the Congress, and the public with a sound although general picture of Federal expenditures in this area, both by department and by function.

The analysis accompanies the Budget of the United States Government when it is submitted by the President to the Congress each January. It is based on a standard

the Department of Justice, collects evidence in cases where the United States may be a party of interest.

Enforcement of narcotics laws is the responsibility of the Bureau of Narcotics and Dangerous Drugs. Bureau efforts center on apprehending international and domestic middle- and high-level traffickers, especially those with organized crime connections.

Investigators of the Immigration and Naturalization Service (INS), part of the Department of Justice, are authorized to investigate aliens or persons believed to be aliens, and to make arrests for felonies which have been committed in violation of the immigration laws. INS conducts investigations of aliens involved in organized crime, narcotics trafficking, and subversion or other criminal activities.

The recently established Office of Drug Abuse Law Enforcement (DALE) in the Department of Justice draws upon a number of agencies (BNDD, the Bureau of Customs, the Bureau of Alcohol, Tobacco, and Firearms, the Executive Office for United States Attorneys, and the Postal Inspection Service) to bring Federal resources to bear on the street-level heroin pusher.

Within the Department of the Treasury, the Internal Revenue Service (IRS), the Bureau of Customs, the Bureau of Alcohol, Tobacco, and Firearms, and the United States Secret Service have investigative responsibility.



is aimed at persons engaged in illicit activities, especially organized crime figures and narcotics traffickers, and the General Enforcement Program, which is aimed at persons evading taxes owed on legitimate business activities or derived from professional occupations.

The Intelligence Division, together with the Audit Division, conducts investigations and examinations under the Treasury/IRS Narcotics Traffickers Program. The program was initiated during FY 1971 to coordinate on a national scale intensive tax investigations of middle- and upper-echelon narcotics traffickers and financiers. The objective is to disrupt the narcotics distribution system by prosecuting those guilty of criminal tax violations and to reduce their profits and working capital by assessing and collecting taxes and penalties on unreported income of the narcotics traffic.

The Internal Security Division investigates efforts to corrupt or compromise IRS personnel. The Division has authority to conduct criminal and administrative investigations, to execute and serve search and arrest warrants, and to serve Federal subpoenas and summonses. The Division also initiates prosecution. The Internal Security Division is often called upon to investigate organized crime efforts to influence IRS employees.

The Bureau of Customs conducts investigations involving the smuggling of articles into the United States. This includes a major enforcement responsibility with respect to the smuggling of narcotics.

The Secret Service conducts investigations involving counterfeiting, and forging and altering Government obligations. The Secret Service also has enforcement responsibility with respect to the protection of the President, the Vice President, and certain other persons provided for by statute.

The Bureau of Alcohol, Tobacco, and Firearms enforces the criminal provisions of Federal law dealing with: the manufacture and sale of illicit alcohol; the unlawful possession and transportation of firearms under the Gun Control Act of 1968, and title VII of the Safe Streets Act; and the unlawful use and transportation of explosives under title XI of the Organized Crime Control Act of 1970.

Responsibility for protection of the mails rests with the Postal Inspection Service of the United States Postal Service. The head of the Postal Inspection Service executes policies, regulations, and procedures governing all investigations of a criminal nature, and maintains liaison with other Federal enforcement agencies.

The Department of Agriculture maintains the Office of the Inspector General, which acts as its primary law enforcement and investigative arm. The Office investigates criminal violations under statutes establishing Department programs, violations of the United States criminal code relating to those programs, and noncriminal violations of those programs. Much of the Office effort in FY 1971 was spent investigating violations of the

Rangers enforce the pertinent rules and regulations. The authority of the Park Rangers varies with the location of the parkland, however. In some areas, parkland is exclusively under the jurisdiction of the Federal Government. In other areas, jurisdiction is either partial, concurrent with the States, or proprietary. In areas where jurisdiction is proprietary, Park Rangers are often deputized as county officials with authority to make arrests for violations not otherwise covered in their normal area of responsibility.

## Enforcement and Prosecution

Enforcement of Federal criminal law through prosecution is the responsibility of the Department of Justice. The Department may itself initiate prosecutions or may proceed upon referrals from other departments and agencies.

Most criminal cases are referred to, or initiated by, the Criminal Division, which handles general crime cases such as anti-riot violations, bank robberies, air hijackings, and kidnaping and extortion.

The Division also has special responsibility for enforcing laws relating to organized crime, narcotics and dangerous drugs, fraud, management and labor, and other matters.

The Division maintains 18 organized crime strike forces, composed of representatives of various Federal departments and agencies, which have been formed to control organized criminal activities in metropolitan areas. In the past few years, under President Nixon's direction, these strike forces have increased from seven at the beginning of 1969 to 18 in FY 1972.

The Division also has the responsibility to commit narcotic addicts under the provisions of the Narcotic Addict Rehabilitation Act of 1966.

Other divisions in the Department have the responsibility to enforce criminal laws which have been specifically assigned to them. The Antitrust Division, for example, enforces criminal laws relating to the protection of the economy from anticompetitive business practices. The Civil Rights Division enforces laws which prohibit specified acts of interference with federally protected rights. Laws relating to subversive activities are the responsibility of the Internal Security Division. The Lands and Natural Resources Division enforces the criminal provisions of the Rivers and Harbors Act of 1899, and the Tax Division enforces Federal tax laws.

The Federal Government not only prosecutes Federal criminal matters, but provides counsel for indigent defendants. Under the Criminal Justice Act of 1964, administered by the Administrative Office of the United States Courts, compensation for counsel appointed by the court is provided. Payment is also provided for investigations and other expert services. The 1969 amendments to this act provide for public defender services for any Federal judicial district desiring to establish one.

agencies have programs or services that aid law enforcement functions on the State and local level. Some agencies, such as the FBI, have provided expert assistance to State and local law enforcement for many years. Other agencies have developed assistance programs only recently.

Federal aid includes financial and technical assistance, the education and training of personnel, and the sharing of information. These Federal programs are directed toward upgrading the effectiveness of police departments, courts, correctional facilities, and other parts of the criminal justice system.

The Law Enforcement Assistance Administration (LEAA), of the Department of Justice, was established in 1968 for the express purpose of giving Federal aid to the States in the field of criminal justice.

President Nixon, recognizing the need for increased Federal aid to State and local law enforcement agencies to fight crime, has greatly increased the funding levels for LEAA. Funding for FY 1972 was \$699 million, more than 11 times greater than the FY 1969 level of \$64 million.

LEAA grants funds to States to help them develop comprehensive plans for the reduction of crime and delinquency through improvement of their criminal justice system. It then provides block grants of funds to assist States in implementing those plans. States add their own resources to the Federal assistance. LEAA also is authorized to grant funds at its discretion for worthy projects which otherwise would go unfunded; the emphasis in these discretionary projects is on innovation.

In FY 1971, the Congress authorized LEAA to grant funds to States for the specific purpose of upgrading correctional programs and facilities.

Federal criminal justice assistance is directed towards eight main areas of State and local needs: police, courts, juvenile delinquency, drug abuse, personnel training, corrections, research and technology, and information exchange.

Following is a brief summary of Federal activities in these areas.

**Police.** Through LEAA and other offices, the Federal Government provides a wide range of support for various aspects of police work.

LEAA grants funds for training and equipping State and local police forces, and sponsors conferences for law enforcement officials.

The FBI will conduct tests in the FBI Laboratory for other law enforcement agencies, and will also provide information contained in its fingerprint files. The National Crime Information Center keeps records on stolen property and fugitives. FBI instructors give training assistance at law enforcement schools, and conduct courses in special areas such as bomb disposal and bank robbery prevention.

Agents of the Bureau of Narcotics and Dangerous Drugs (BNDD) cooperate with State and local police in criminal investigation of drug cases, and in the enforcement of laws pertaining to the sale of drugs.

Other Federal agencies aid police investigations in their respective areas of expertise, as described extensively in this report.

**Courts.** Through LEAA, the General Services Administration, and the Administrative Office of the United States Courts, the Federal Government provides assistance in improving court operation, management, and effectiveness.

In the past several years, President Nixon has taken a personal interest in court reform. To spur the development of speedier and surer justice, he convened and spoke at the first National Conference on the Judiciary, held in March 1971 at Williamsburg, Va. This conference was developed by the Department of Justice and was funded by LEAA, and made a number of recommendations, including establishing a National Center for State Court Judges (later funded by LEAA).

LEAA also supported training of hundreds of judges of both general and limited jurisdiction through the National College of State Trial Judges and the American Academy of Judicial Education; court management and administration studies and training conducted by the Institute for Court Management at the University of Denver and the National College of State Trial Judges in Reno, Nev.; training programs for prosecutors through the National District Attorneys Association and the National College for District Attorneys; and a court improvement project conducted by the National Conference of Metropolitan Courts in Detroit, Mich.

The National Institute of Law Enforcement and Criminal Justice, part of LEAA, supported projects to improve court operations, facilities, equipment, personnel, and juvenile justice.

An example of court reform in which the Federal Government played a large part resulted from the D.C. Court Reform and Criminal Procedure Act of 1970. The act was drafted by the Office of Criminal Justice of the Department of Justice and enacted by the Congress in response to President Nixon's call for a massive attack on crime in the District of Columbia in January 1969.

The Administrative Office of the United States Courts supervises the Federal court system and administers the Federal public defender service established by the Congress in the 1969 amendments to the Criminal Justice Act of 1964. The office also examines Federal court dockets to gather and maintain statistics on Federal cases.

The General Services Administration designs, builds, furnishes, and manages Federal court buildings. It also protects employees and visitors in these buildings.

**Juvenile delinquency.** Offices in the Department of Health, Education, and Welfare (HEW) and LEAA provide the majority of Federal grants designed to combat juvenile delinquency and rehabilitate young offenders.

The Youth Development and Delinquency Prevention Administration (YDDPA) of HEW awards grants to

LEAA awards grants to prevent juvenile delinquency and to rehabilitate juvenile offenders.

Several other Federal offices are also involved in this area. The Office of Economic Opportunity funds experimental programs for inner-city youths and youth development programs in employment, education, and other areas. The Department of Housing and Urban Development provides specialists who aid in planning corrective programs for delinquents, and the Department of Agriculture makes conservation camps available for use as rehabilitative centers.

**Drug abuse.** Another area in which the Federal Government has substantially expanded its assistance programs is in aid to combat drug abuse. Efforts here are primarily in prevention and rehabilitation.

LEAA aids State and local agencies in areas of drug law enforcement, drug abuse education, and treatment and rehabilitation. In cities with a high addiction rate, discretionary grants may be awarded for more intensive programs.

The Bureau of Narcotics and Dangerous Drugs holds training programs for State and local law enforcement officers; tests and analyzes evidence to be submitted in court cases; participates in criminal investigations; and directs pilot projects for involving community leaders in drug prevention.

The President's Special Action Office for Drug Abuse Prevention coordinates Federal training programs in the rehabilitation and treatment area, and has established a National Training Center in Washington, D.C., as the hub of a system which can train 16,000 persons annually.

Three other offices, the Bureau of Prisons, the Office of Economic Opportunity, and the Department of Housing and Urban Development, lend support for rehabilitation programs.

**Personnel training.** Through grants and training programs the Federal Government is helping to upgrade abilities of State and local personnel in all phases of law enforcement and rehabilitation.

Training programs are held by Federal officials in areas of expertise, such as securities laws and law enforcement.

Training programs include riot control and bomb courses taught by the Department of Defense; investigation courses taught by BNDD; and training at police schools and the FBI National

Academy. State and local personnel have also received training through the consolidated Federal Law Enforcement Training Center, operated by the Department of the Treasury. The Department of Health, Education and Welfare also awards training grants for persons working with juvenile delinquents, and the Bureau of Prisons has training programs for local corrections

agencies. LEAA also provides technical assistance and marshal all available resources in the Department of Justice to improve corrections at all levels—Federal, State, and local.

The Congress responded to the President's request for more Federal aid to State corrections systems by authorizing LEAA to award grants to States for construction of new corrections facilities, and other priority projects.

Federal aid for State and local corrections efforts includes monetary assistance for new and improved facilities, training for corrections officers, and programs for inmate rehabilitation.

Construction funds for corrections facilities are awarded by LEAA for community-based and other noninstitutional facilities.

The Bureau of Prisons is building staff training centers which will train State and local corrections staffs, as well as Bureau personnel. The Bureau also provides assistance in jail inspection, and contracts with local agencies to provide rehabilitative programs for offenders.

The Manpower Administration of the Department of Labor funds vocational training and counseling programs to help offenders obtain employment upon their release. A program for inmates, administered jointly with the Office of Education of HEW, uses job training as part of the rehabilitative process.

Other vocational training for offenders is supported by the Office of Economic Opportunity, which funds projects in counseling, job training, and other services.

LEAA awards grants to States for correctional activities such as probation and parole services, counseling, and community centers.

**Research and technology.** Law enforcement today requires the use of new technology to combat crime. In this field, the Federal Government provides a variety of laboratory services, development of new tools and techniques in fighting crime, and funds for further research.

Three Federal offices give laboratory services to State and local police. These services include analysis of evidence to be used in criminal court cases. The FBI, Bureau of Narcotics and Dangerous Drugs, and the Bureau of Alcohol, Tobacco, and Firearms of the Department of the Treasury, furnish such aid.

LEAA awards grants for various research and technology programs in crime control methods. It also sponsors studies that collect statistics and other basic information on crime.

**Information sharing.** A final area of Federal aid is the sharing of information with State and local law enforcement agencies.

This is done through regular reporting systems, special exchanges, and publications.

Central to this aid is the National Crime Information Center of the FBI, which furnishes States with data on stolen property and fugitives from justice. The FBI forwards intelligence on criminal activity gathered by agents in the field.

Other agencies provide information on securities

Every Federal department and agency with law enforcement and criminal justice assistance responsibilities is involved in programs to make crime more difficult for would-be lawbreakers and to protect the American public.

Efforts range from investigations to deter illegal acts, to the installation of security devices in airports to prevent hijackings, to the development of high intensity street lamps for use in major crime locations.

**Air security.** Maintaining security in the skies, for example, has become an area of concerted Federal effort. Contingents of air guards were recruited from several Federal departments including the Departments of Justice, Transportation, the Treasury, and Defense. These were later replaced by a permanent force drawn from the Bureau of Customs in the Department of the Treasury.

Security was also tightened on the ground, with the adoption of extensive preboard screening measures. These security measures included the use of sensitive metal detecting devices, the use of dogs trained to sniff out explosives, and the development of a "hijacker profile" giving characteristics of potential hijackers.

**Bombings.** Federal agencies and departments whose operations or areas of responsibility are vulnerable to bombings have also taken steps to tighten security.

The air guard training program, for instance, includes detailed instructions on methods of handling bombing incidents. Research is being conducted by the Federal Aviation Administration into methods to detect bombs before they are carried on board.

The United States Postal Service conducts research to develop bomb detection devices. Efforts have centered on the development of a device to detect metal boxes, and a low level X-ray machine not harmful to film or personnel.

The General Services Administration, which is responsible for the security of nearly 10,000 federally owned or leased buildings and about 750,000 Federal employees, has tightened its security through the installation of intrusion-detection devices, and by increased training for its guard force.

The Veterans Administration also maintains a guard force to protect its operations. Guards have the authority to search parcels being carried into Veterans Administration facilities.

Bomb security is also a concern of the Department of Defense and the United States Coast Guard. Each year the Department of Defense undertakes industrial defense surveys of facilities considered vital to the national defense. The Coast Guard, which is responsible for the security of port facilities and vessels, supervises the loading of all explosives and other hazardous cargoes.

**Urban crime.** Although urban crime prevention is basically the responsibility of local law enforcement agencies, assistance in making our cities safe is provided by the Federal Government.

Many of the grants provided by the Law Enforcement Assistance Administration (LEAA) to States and local

(HUD) also worked to enhance the safety and security of urban dwellers during FY 1971. Many HUD programs designed to improve urban living conditions include provisions for strengthening local law enforcement, and for security systems to protect residents from crime.

The Model Cities Program, for instance, which provides funds to selected State and local governments, encourages participating cities to undertake projects to improve the criminal justice system. Included in these projects is the training of enforcement officers.

The low-rent housing program of HUD also provides for adequate police protection as an integral goal. In areas where local police protection is insufficient, HUD can authorize Local Housing Authorities to spend funds from their operating budgets for supplemental protective forces.

HUD also conducted research and technology projects designed to improve the physical security of urban communities. These projects included studies on telecommunications, such as the use of television surveillance of high crime streets and urban security systems; a project to develop crime prevention street equipment; and the development of crime security guide criteria for use when constructing new urban apartments or private homes.

**Consumer protection.** Protecting the American consumer from fraud, deception, and unsafe or unhealthful food, drugs, and products is another area in which the Federal Government has taken preventive steps.

The Federal Trade Commission investigates illegal or deceptive practices in advertising, and has recently established Consumer Protection Coordinating Committees in major metropolitan areas to give guidance to consumers and to help identify illegal activities. The Commission relies almost exclusively on administrative sanctions.

The Postal Inspection Service investigates frauds perpetrated through the mails. The Service is also a participant on the Consumer Protection Coordinating Committees, as are the attorneys general of the States, U.S. attorneys, and representatives of consumer protection agencies.

Protecting the food and drug supply is the responsibility of the Food and Drug Administration (FDA), part of the Department of Health, Education, and Welfare. The Department of Agriculture shares this responsibility.

FDA maintains surveillance over the safety of food, drugs, veterinary medicine, product safety, and radiological health through inspection programs to ensure compliance with the law.

The Animal Plant Health Inspection Service in the Department of Agriculture has a staff of meat and poultry inspectors who keep watch over processing plants. All aspects of production are scrutinized to ensure that these products are wholesome. Spot checks of shipments and retail establishments are made by the Program Review and Compliance staff of the Service; any criminal violations are investigated by the Office of the Inspector General of the Department.

arm of the Federal Government in the criminal justice field. It both conducts its own research and funds others to do so.

Projects to assess the effectiveness of police, courts, and corrections systems are of principal interest to the National Institute. Among the projects in these areas were the development of psychological standards for policemen, a project to develop mathematical models of court functions, research into court reorganization and renovation, and a project to evaluate the costs, activities, and effectiveness of community-based corrections programs.

The National Institute also took steps during the fiscal year to establish standards for police equipment. Under an interagency agreement with the National Institute, the National Bureau of Standards established the Law Enforcement Standards Laboratory to develop voluntary national standards for protective, communications, security, and emergency equipment; vehicles; and correctional institution building systems.

Other Federal departments and agencies also conduct research into ways of improving the criminal justice system.

Among these are the Department of Housing and Urban Development, which is developing a system for routing and controlling public service vehicles; the National Institute of Mental Health, which conducted several projects into ghetto attitudes toward law enforcement, and the relationship between law and conflict; and the Department of Labor and the Office of Economic Opportunity, both of which are conducting research into new rehabilitation methods.

## Eliminating Causes of Crime

The work of some Federal agencies is directed toward eradicating the underlying causes of crime. The principal agencies operating these socially oriented crime reduction programs are the Department of Health, Education, and Welfare (HEW), the Department of Housing and Urban Development (HUD), and the Office of Economic Opportunity (OEO).

**HEW.** HEW provides rehabilitative services to delinquent youth and guidance to youths in danger of becoming delinquent; improves the welfare of neglected and delinquent children in institutions, or of inmates in correctional institutions; and administers the program under which narcotic addicts are committed through civil procedures to the Surgeon General in lieu of imprisonment.

The Youth Development and Delinquency Prevention Administration of HEW administers a program of grants to State and local governments to improve juvenile delinquency prevention and treatment programs. The Administration carries out these programs under authority granted by the Juvenile Delinquency Prevention and Control Act of 1968.

The Office of Education of HEW also provides services to neglected and delinquent children. Many Office of

HEW is also vitally concerned with the problem of alcoholism. In 1966, the National Center for Prevention and Control of Alcoholism was established within the National Institute of Mental Health to develop and administer Federal support programs in that area. In 1968, the Congress passed the Alcoholic Rehabilitation Act which declared alcoholism to be a major health problem, and noted that handling alcoholics through the criminal justice system only perpetuates the problem. The act authorized Federal funds to be used for the construction and staffing of facilities to treat alcoholism, and for research, prevention, treatment, and rehabilitation.

Federal efforts in the area of alcohol abuse were strengthened still further with the passage of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970. This act created the National Institute on Alcohol Abuse and Alcoholism which assumed administration of all alcoholism programs in HEW.

**HUD.** Programs conducted by HUD relating to crime reduction are concerned with the relationship of living conditions in communities and neighborhoods to crime and delinquency. HUD programs address the practical problems of improving security and policing activities, as well as improving the physical environment of the poor, where much crime exists.

HUD offers riot and crime insurance aimed at reducing losses caused by civil disorders, riots, or crime to businesses which would otherwise find the cost prohibitive. HUD also enforces Federal fair housing laws; it receives, investigates, and conciliates complaints based on grounds of race, color, religion, or national origin. Among other measures enforced by HUD in its mission to upgrade housing and living environments are the requirements that housing receiving insurance and assistance under HUD programs meet certain security standards, and a program which provides for police protection in low-rent housing projects.

**OEO.** OEO is vitally concerned with problems of crime and delinquency. OEO works to eliminate poverty, under-education, and unemployment—all fertile grounds for crime and delinquency. OEO also helps disadvantaged persons and ex-offenders become productive individuals who are able to function in a law-abiding society.

Specific OEO programs include education and training for poor youth and adults, rehabilitation projects for narcotic addicts, training and counseling of correctional institution inmates and ex-offenders, and several programs designed to reduce juvenile delinquency.

Since all OEO programs are intended to improve the living conditions and opportunities of the poor, its mission is integrated with the national effort against crime. Several OEO programs are, however, specifically directed to this end. OEO funds both demonstration and operational anti-crime programs.

Among the demonstration projects are Project New-Gate, an experimental educational program for inmates in correctional institutions; a program offering prerelease

one of the provisions of the 1968 amendments to the Economic Opportunity Act of 1964. These amendments reinforced previous amendments to the act which had provided for support of facilities and services for the prevention and treatment of alcoholism. OEO rehabilitation programs are community-based, and emphasize the objective of returning the alcoholic to society rather than institutionalizing him.

## Understanding the Nature of Crime

Understanding the nature of criminal behavior and its causes is fundamental to the development of effective law enforcement techniques and theories.

Research into the nature of crime and delinquency is being conducted by the National Institute of Mental Health (NIMH) and the National Institute of Law Enforcement and Criminal Justice, part of LEAA.

During FY 1971, NIMH supported nearly 140 crime-related research projects. These included studies of hyperactive children, and children with other emotional disorders; the effect of peer group influence on drug addiction; interracial relations in inner-city schools; and the effects of parental alcoholism on the social behavior of children.

Other projects include the use of group psychotherapy in treating juveniles, projects dealing with the treatment of aggressive and violent behavior, and the effects of perinatal brain damage on later behavior.

## Corrections

In few areas of law and crime prevention is the Federal Government confronted with greater challenges than in the field of corrections.

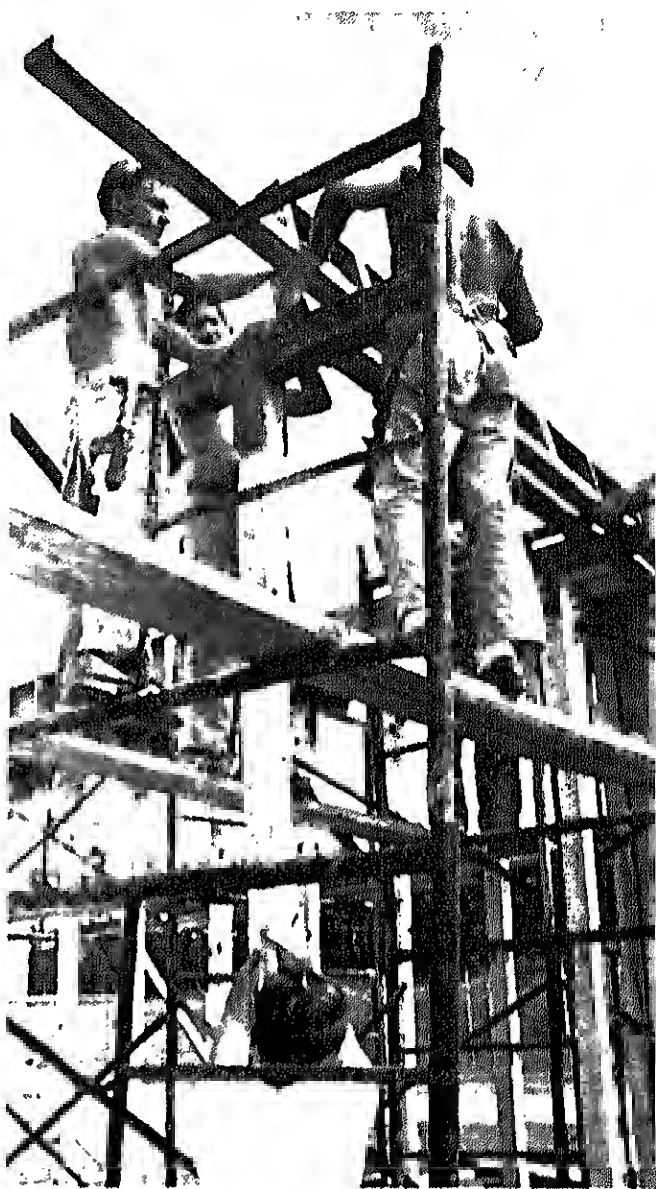
The corrections process is critical to crime reduction since more than 90 percent of all offenders are eventually released from prison. What these offenders do at this critical point is determined, in large measure, by their prison experience.

More clearly than ever, Federal and State agencies now recognize that confinement and regimentation alone are not necessarily deterrents to further criminal activity. Further, these agencies recognize that certain classes of offenders require corrective measures designed specifically to meet their needs.

Spurred by the high recidivism rate of ex-offenders, the movement for change in corrections has received top-level Government support. In November 1969, President Nixon called attention to the failure of corrections systems in the United States.

He ordered the Attorney General to develop a program for improving the corrections system on all levels of Government—Federal, State, and local.

the housing of all Federal prisoners; the granting of financial and technical assistance to the States; sponsoring research on criminal behavior; operating rehabilitation programs; and training corrections officials.



Prison inmates receive training in marketable job skills under a Department of Labor program.

**Custody.** Five percent of all prisoners in the United States are confined in Federal institutions. These are persons convicted under Federal laws and assigned to the Attorney General for supervision.

The Bureau of Prisons administers the Federal prison system, which is composed of a complex of facilities ranging from penitentiaries to halfway houses. The Bureau is charged with the complete rehabilitation of all offenders in its care.



in FY 1971. One of these covered acts of violence aboard an aircraft, and the other dealt with hijacking for international blackmail purposes.

Aerial piracy is also a concern of the Federal Aviation Administration (FAA) of the Department of Transportation. The FAA works with the airlines to develop new security measures to prevent hijacking. During a plane hijacking, the FAA is responsible for directing law enforcement activities when the plane is in flight; the FBI supervises those activities when the aircraft is on the ground in the United States.

**Police cooperation and training.** Aid to and cooperation with foreign police and investigative agencies is another Federal enforcement activity with international scope.

The Department of the Treasury is the U.S. representative to the International Criminal Police Organization (INTERPOL), which has 111 nations as members. INTERPOL maintains records on international crime figures, and furnishes information to member countries upon request. It also coordinates international investigations into criminal activity.

The Department of State, through its Office of Public Safety in the Agency for International Development (AID), trains and equips local police forces of foreign countries. The purpose of these programs is to develop an effective civil law enforcement operation. Special AID programs in police training include counter-insurgency and halting the flow of narcotics. In the latter effort, the Department cooperates with representatives of the Bureau of Customs and BNDD.

**Aliens.** The Immigration and Naturalization Service, of the Department of Justice, administers and enforces laws governing who may enter the United States, and under what conditions.

In enforcing these laws, the Service bars the entry of aliens with criminal convictions. The Service operates a Border Patrol to guard against illegal entry and smuggling of aliens. The Service also maintains records on all aliens admitted into the United States. It can bring deportation proceedings against aliens who violate laws after admission, or who are found to have entered illegally.

The decisions of Special Inquiry Officers of the Service may be appealed to the Board of Immigration Appeals, a quasi-judicial body appointed by the Attorney General. It has jurisdiction over cases arising under the Immigration and Nationality Act.

**Other international activities.** The United States Coast Guard, of the Department of Transportation, enforces Federal laws in United States territorial waters. It also enforces maritime laws.

The Departments of Justice, State and the Treasury and the Securities and Exchange Commission participated in FY 1971 in negotiations with the Government of Swit-

zerland on a judicial assistance treaty that would assist the United States in law enforcement, particularly with respect to organized crime.

The National Science Foundation has funded research projects in juvenile delinquency that will be conducted in Stockholm, Sweden, and Tokyo, Japan.

International cooperation in criminal research in FY 1971 led to a technique for analysis of dried blood. The procedure was developed in London, England, and introduced to this country through a grant from the National Institute of Law Enforcement and Criminal Justice, of the Law Enforcement Assistance Administration.

## Regulatory Agencies

The law enforcement and criminal justice assistance activities of the regulatory agencies are as varied as the industries and practices they supervise. They include the investigation of organized crime cases by the Securities and Exchange Commission, the application of research and development in the atomic energy field sponsored by the AEC to forensic science, and the assigning of radio frequencies for police use by the Federal Communications Commission.

In addition to these specific activities, all of the regulatory agencies are on constant watch for violations of the acts they administer and for other violations of the United States criminal code discovered in the course of their normal activities or investigations. Such offenses are referred to the Department of Justice for appropriate disposition.

The criminal jurisdiction of the regulatory agencies is broad when taken as a whole. But it does not constitute a major operational weapon for the agencies. As a practical matter, compliance with agency orders and regulations is most frequently achieved by imposing civil and administrative sanctions or through informal proceedings. Relatively few of the provisions of the acts administered by these agencies carry criminal penalties, and where both civil and criminal penalties are involved the agencies generally proceed on the basis of the civil violation for the sake of efficiency. As a result, relatively few cases are referred to the Department of Justice for criminal prosecution.

The regulatory agencies have been granted broad authority by Congress to supervise industries and other activities in their areas of responsibility. Although no two have exactly the same powers, many have authority to issue rules which carry the weight of law, to render deci-

charges as well as civil criminal cases. The Atomic Energy Commission, which reported no cases involving the Atomic Energy Act, did refer 94 cases to the Federal Bureau of Investigation concerning such



A number of Federal regulatory agencies protect various aspects of banking against possible irregularities

sions in particular cases, to issue cease and desist orders, to impose fines, to revoke licenses, or to use other appropriate administrative enforcement measures.

**Criminal law enforcement.** The SEC and the ICC both work closely with the Organized Crime and Racketeering Section in the Department of Justice. Since July 1969, the SEC has conducted 72 organized crime investigations. They resulted in 50 criminal indictments. During FY 1971, the SEC referred 27 cases involving all types of criminal activities to the Department. During FY 1971, the ICC referred 124 criminal cases to the Department.

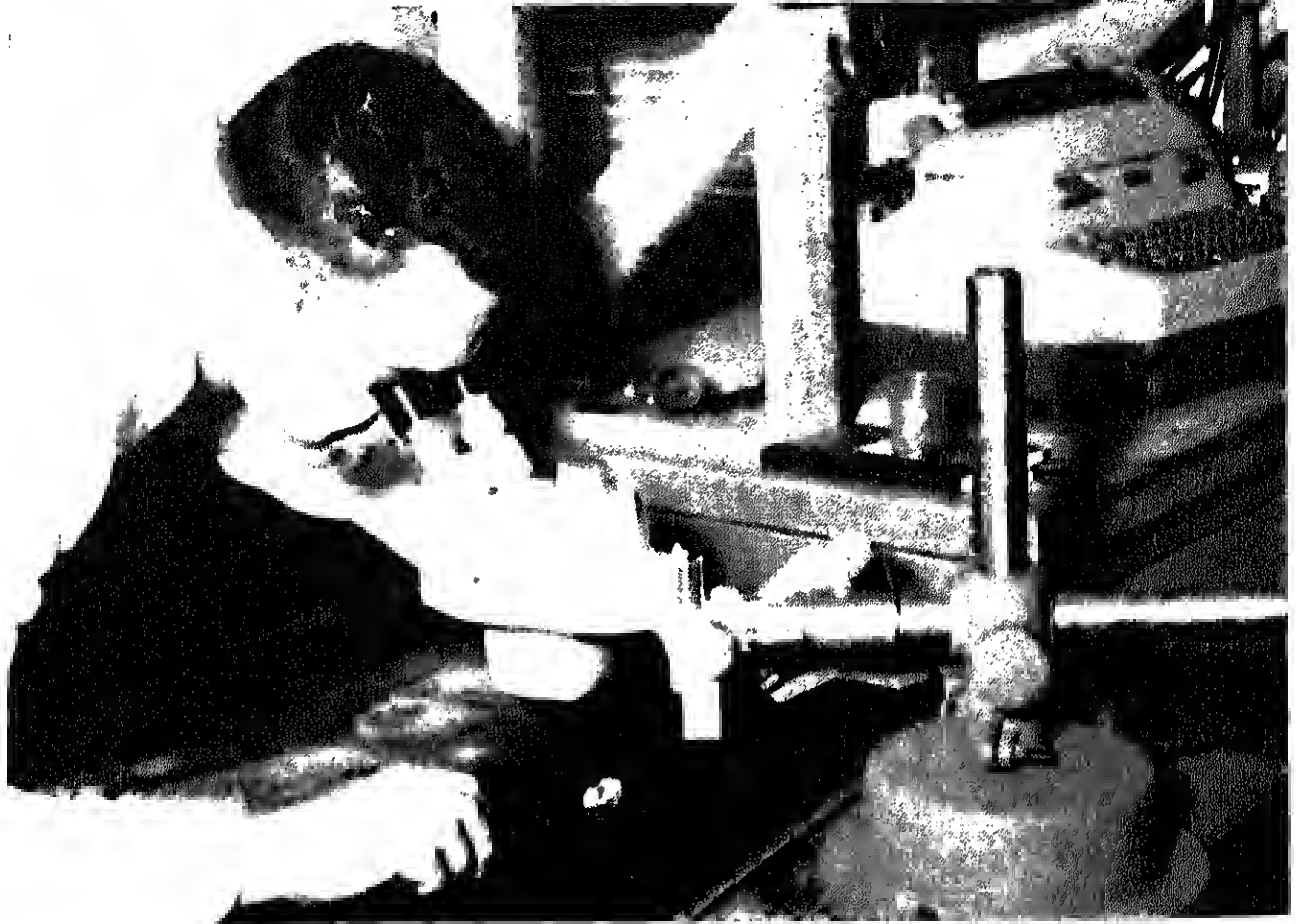
matters as theft, fraud, or similar crimes under other criminal statutes.

**Assistance activities.** Several of the regulatory agencies provide law enforcement assistance to other Federal agencies and to State and local governments.

The Atomic Energy Commission conducts research which is often applicable to scientific crime investigation. Some of these projects include isotopic identification of bullet hole characteristics, nuclear techniques in forensic science, drug analysis and tagging, and others.

The Federal Communications Commission assigns radio frequencies for the use of the more than 17,000 police radio stations currently in operation.

enemies, foreign and domestic. The use of military forces is closely regulated by law, since the protection of life and property and the maintenance of law and order are primarily the responsibility of local and State, rather than Federal, authorities.



Scientist gathers sample from painting for authenticity test by neutron activation analysis, a crime reduction technique developed by the Atomic Energy Commission.

The primary restriction on the use of Federal forces is the Posse Comitatus Act, a law which makes it a criminal offense to use any part of the Army or Air Force to execute local, State, or Federal law, except as expressly authorized by the Constitution or the Congress.

There are six exceptions to the act under which Federal military forces can be employed to preserve order.

Two of these are nonstatutory in nature and pertain to the inherent constitutional right of the Federal Government to preserve public order. In emergencies, such as disasters or civil disorders, Federal troops may be used to restore order and protect life and property when local authorities are unable to cope with the situation. Secondly, military forces may be used to protect Federal property and functions when such protection is unavailable from State or local governments.

The Congress has also outlined four statutory exceptions to the general prohibition against the use of Federal forces in law enforcement.

Federal troops may be used when a State requests aid to control domestic violence. The military may also be used to enforce Federal laws when unlawful obstructions or rebellion render customary law enforcement unworkable. And the military may be required to restore order when violence obstructs the execution of State or Federal laws, and a State is unwilling or unable to protect the constitutional rights of its citizens. All of these uses of Federal troops require that the President first issue a proclamation calling for an end to violence and disorder.

A final use of the military may be to guard the life of the Chief Executive and other designated persons. All Federal departments are required to assist in protecting the life of the President and others whenever such aid is requested by the United States Secret Service.

Federal troops were used only once in FY 1971 to aid a local government in coping with a civil disorder. This was in support of the Metropolitan Police Department of the District of Columbia, during the May Day demonstrations in the spring of 1971. No actual confrontation between demonstrators and Federal troops took place.

The Department of Defense provided a range of other services to State and local law enforcement agencies in FY 1971.

Loans were made to local agencies requesting special equipment for use in quelling disorders. The Department held training programs for State and local officials learning how to plan for the control of civil disturbances. In addition, two riot control programs were conducted by the Department of the Army, and another civil disturbance course was held for the Border Patrol of the Immigration and Naturalization Service.

The Department set up innovative programs to curb drug abuse by its servicemen, and to screen out addicts returning from Southeast Asia for special treatment.

Other assistance included training in bomb disposal techniques for civilian public safety officials of the District of Columbia. The Department also provided certain aid to local police departments in communities near sites of construction of Anti-Ballistic Missile facilities. This aid was intended to relieve the local communities of the burden of increased law enforcement activities occasioned by the sudden rise in local population as work crews and military personnel arrived.

## District of Columbia

The District of Columbia, Capital City and the showcase for the Nation's historical and artistic heritage, occupies a unique position in regard to Federal law enforcement and criminal justice assistance efforts.

Eleven days after President Nixon's inauguration in January 1969, he called for a massive attack on the crime problem in the District. He outlined a sweeping program to reorganize, reform, and drastically expand the city's police, judicial, prosecution, defense, and bail agencies. He proposed new and comprehensive programs to treat and prevent narcotics addiction and juvenile delinquency and to reduce street crime.

Intensive planning and reorganizing were begun by the District of Columbia Government. A program to floodlight Federal buildings and high-crime areas provided visible evidence of the new effort. Federal agencies geared up their plans and budgets. The D.C. Metropolitan

including computerizing and mechanizing court operations. The new D.C. Superior Court combines the former Juvenile Court, Tax Court, and Court of General Sessions. Appeals from D.C. Superior Court go to the new D.C. Court of Appeals and then to the Supreme Court, instead of through the U.S. Court of Appeals as they did formerly. Felonies, formerly prosecuted in U.S. District Court, are now prosecuted in D.C. Superior Court.

In calendar 1971, felony indictments more than doubled, and the time between arrest and trial was reduced to 5 or 6 weeks, as compared with 9 to 12 months formerly. The number of pending cases that involved serious misdemeanors was reduced by 40 percent during the year.

Sophisticated computer-oriented techniques were brought to bear on the entire criminal justice system as well as the courts. A systems approach was brought to planning and management and to coordinating the efforts of all agencies involved.

During a 2-year period, the Law Enforcement Assistance Administration of the Department of Justice granted the new D.C. Narcotics Treatment Administration (NTA) more than \$4 million, and other agencies in the criminal justice system more than \$3.5 million through the D.C. Office of Criminal Justice Plans and Analysis (OCJPA).

In less than a year after its inception, the NTA had 2,000 heroin addicts in methadone treatment in 10 centers; by April 1972, almost 4,000 were in treatment.

The OCJPA conducted an exhaustive survey of the criminal justice system and instituted a comprehensive plan for development. OCJPA made subgrants from block grant funds to a wide range of grantees in nine program areas ranging from community relations to juvenile delinquency prevention. These subgrants were approved by a Criminal Justice Coordinating Board made up of citizens and representatives from every agency in the District of Columbia involved in any way in the criminal justice system.

The Metropolitan Police Department used a \$1.25 million grant to pay overtime equaling 1,000 policemen until enough new policemen could be recruited. The noncivilian force increased from 3,100 in 1969 to 5,100 by September 1970. Daily patrols increased nearly 50 percent in 2 years. Other grants to the police helped to improve recruit training, operate three helicopters, train nine pilots, improve dispatch and control procedures, fight organized crime, and improve planning and management.

The United States Civil Service Commission publicized the police recruitment drive and administered the police entrance examination on a walk-in basis so that prospective recruits did not have to wait on a list. The Department of Defense discharged service personnel 6 months early if they were accepted as police recruits. The Army gave radio technical assistance, trained police helicopter pilots, and gave two surplus helicopters for training. The Navy provided a temporary helicopter facility for three police helicopters.

The United States Park Police of the Department of the Interior, the Department of Defense, and the D.C. National Guard assisted the police during the May Day



The Office of Economic Opportunity (OEO) granted more than \$2 million during a 4-year period to the Pilot Police District Project, a wide-ranging experimental program to improve community relations in the Third Police District.

The District of Columbia community action agency for OEO, the United Planning Organization (UPO), granted more than \$2.8 million in FY 1971 and 1972 for youth development and delinquency prevention programs of the D.C. Office of Youth Opportunity Services (OYOS). The Youth Development and Delinquency Prevention Administration (YDDPA) of the Social and Rehabilitation Service of the Department of Health, Education, and Welfare (HEW), granted OYOS \$595,972 in planning and delinquency prevention funds in a 4-year period beginning in FY 1969. YDDPA has also awarded more than \$500,000 to other D.C. grantees for providing training workshops and technical assistance. OYOS has received grants also from the Department of Labor, such as \$220,000 in FY 1971 for expanded recreational support for disadvantaged youths.

The D.C. Manpower Administration of the Department of Labor distributed Emergency Employment Act funds in the city in FY 1972 to create public jobs, of which approximately \$312,500 or 9 percent was used for law enforcement jobs. The Department of Labor funded manpower programs in the city totaling \$31.2 million in FY 1972, all aimed at the unemployed, underemployed, or disadvantaged.

Both the D.C. Manpower Administration and the Rehabilitation Services Administration of the Social Rehabilitation Service (SRS) of HEW provided vocational training to offenders supervised by the D.C. Department of Corrections, to ex-offenders in general programs, and to high-risk target populations such as predelinquents.

SRS funds totaling \$51.3 million in FY 1971 supported the full range of city public assistance programs, including institutional custody and treatment of delinquents as well as programs designed to treat delinquents and predelinquents in the community instead of in institutions.

Other HEW aid went to the city through the HEW Office of Education. Programs serving disadvantaged, delinquent, and neglected children in custodial institutions totaled \$357,674 in FY 1971 and \$320,489 in FY 1972, under title I of the Elementary and Secondary Education Act.

The District of Columbia Model Cities Program estimated that of \$3.6 million spent in the first action year, begun in April 1970, 12 projects totaling \$1,691,453 had distinct law enforcement and crime prevention components, and most of the other projects contributed indirectly to crime prevention by improving economic conditions in Model Cities neighborhoods.

## Conclusion

Increasingly important to the Federal law enforcement role are the many assistance programs for State and local governments initiated in the past 3½ years under President Nixon's administration. Assistance is offered in every area of the criminal justice system—police, courts, and corrections—to combat every crime problem—organized crime, juvenile delinquency, narcotics and dangerous drug abuse, and offender recidivism, among others.

New enforcement programs to attack problems that cannot be handled by State and local governments have also been initiated and expanded. The Federal Government has greatly enhanced its programs under President Nixon to combat air piracy, major thefts, bombings, and organized crime.

The Federal Government has also shown that it is as concerned with rehabilitating offenders and narcotics addicts as it is with increasing enforcement efforts. Many new State and local programs have been funded in whole or in part by the Federal Government; new offices have been organized within the Federal Government to find new ways of helping people lead productive, law-abiding lives.

In the detailed and wide-ranging report that follows, the programs mentioned in this introduction will be much more fully described. The report encompasses the crime reduction program of 37 different departments and agencies, and includes 12 essays, which report on Government-wide activities in specific areas of criminal justice, such as corrections, and Government-wide response to specific areas of criminal activity, such as organized crime, juvenile delinquency, white collar crime, and narcotics and dangerous drug abuse.

The report is an assessment of the Federal Government's role in combating crime, and shows the directions in which the Federal Government is heading in its efforts to make the United States a safe, secure, and free land for all of its citizens.





This report is concerned in its entirety with the subjects of Federal law enforcement and criminal justice assistance activities.

In order to provide a more complete picture of those activities, this essay addresses certain basic considerations those subjects involve.

These considerations are, for purposes of this report, three in number:

- [ ] The source and scope of Federal authority as it pertains to law enforcement and criminal justice assistance;
- [ ] The six statutes designated specifically by the Congress for inclusion in this report; and
- [ ] Recent legislation enacted by the Congress to further the national effort against crime.

This essay provides an overview of major constitutional foundations for Federal activities in combating crime. It responds to the requirement in section 12 of the Omnibus Crime Control Act of 1970 that the six designated laws be discussed. And it provides summary descriptions of recent actions of the Congress relating to crime control.

This essay consists primarily of a discussion of Federal legislation in the area of law enforcement and criminal justice assistance. Some descriptions of administration of programs are included, but details on activities and results of Federal legislation are not included. Those details can be found in essays on specific subjects (Narcotics and Dangerous Drugs, Organized Crime, Juvenile Delinquency, etc.) elsewhere in this report.

## Laws Designated by the Congress

The six statutes designated by the Congress in section 12 of the Omnibus Crime Control Act of 1970 for required inclusion in this report are:

- ☐ The Juvenile Delinquency Prevention and Control Act of 1968;
- ☐ The Narcotic Addict Rehabilitation Act of 1966;
- ☐ The Gun Control Act of 1968;
- ☐ The Criminal Justice Act of 1964;
- ☐ Title XI of the Organized Crime Control Act of 1970 (relating to the regulation of explosives); and
- ☐ Title III of the Omnibus Crime Control and Safe Streets Act of 1968 (relating to wiretapping and electronic surveillance).

A brief summary of these statutes follows:

The Juvenile Delinquency Prevention and Control Act

of 1968, administered by the Department of Health, Education, and Welfare, provides block grants to States for prevention of juvenile delinquency and rehabilitation of offenders. Community-based programs are emphasized and encouraged by the act.

A rehabilitative approach to the drug problem was inaugurated with the passage of the Narcotic Addict Rehabilitation Act of 1966. Prior drug legislation stressed enforcement of drug laws and punishment of violators. This act is administered by both the National Institute of Mental Health, which is part of the Department of Health, Education, and Welfare, and the Bureau of Prisons, part of the Department of Justice.

The Gun Control Act of 1968 strengthened Federal control of firearms by regulating their interstate shipment and by revising licenses for manufacturers, dealers, importers, and collectors. The Bureau of Alcohol, Tobacco, and Firearms, of the Department of the Treasury, is charged with enforcing the provisions of this act.

With the passage of the Criminal Justice Act of 1964, Congress for the first time authorized payment of legal counsel at public expense for indigent defendants in Federal courts. The Administrative Office of the United States Courts is responsible for administering the provisions of the act.

Increased Federal regulation of explosives and incendiary devices was provided by title XI of the Organized Crime Control Act of 1970. The Bureau of Alcohol, Tobacco, and Firearms shares enforcement responsibilities for this act with the Federal Bureau of Investigation.

Title III of the Omnibus Crime Control and Safe Streets Act of 1968 permits wiretapping and electronic surveillance in a variety of specified cases. The Administrative Office of the United States Courts receives reports from the Attorney General on all pertinent information relating to wiretap warrants issued or denied by judges. The Administrative Office of the United States Courts is required to submit a summary of this information to the Congress every April.

## Anticrime Legislation of FY 1971

FY 1971 was an important year for legislation directed at combating and preventing criminal activities in the United States.

During the fiscal year, the Congress passed four major bills, and several others, which provided law enforcement agencies with expanded powers and increased resources.

The four major acts passed during the fiscal year are listed in chronological order, as are:



that Federal Act of 1970 modernized the court system in the District of Columbia.

The Organized Crime Control Act of 1970 provided new tools for law enforcement agencies in combating the organized crime network in the United States. Special grand juries were authorized to return indictments; witness immunity laws were changed, and witness protection laws strengthened; and new criminal penalties were established.

The Comprehensive Drug Abuse Prevention and Control Act of 1970 continued the rehabilitation programs for narcotics addicts funded by the Department of Health, Education, and Welfare, and changed the penal sanctions relating to drug offenses. The act also consolidated the mass of Federal legislation relating to drug abuse.

Federal assistance to State and local law enforcement agencies was increased by the passage of the Omnibus Crime Control Act of 1970. This act continued the responsibilities of the Law Enforcement Assistance Administration to fund State projects related to this field, and added new provisions such as that providing for a new program to upgrade State and local correctional facilities.

## The Source and Scope of Federal Authority

The authority of the United States to define and punish crimes, and to assist the States in doing the same, derives from the Constitution.

A brief discussion follows of some of the more essential considerations in this area.

### Scope of Federal Jurisdiction

At the time of the founding of the Republic, the States exercised virtually exclusive jurisdiction over all crimes. That was altogether appropriate to the conditions of the time. The Federal Government exercised jurisdiction over such crimes as treason, piracy, revenue violations, customs offenses, and postal crimes, but little more.

As the Nation grew in population and complexity, as it grew geographically, as the economy developed, and as opportunity for abuses increased, so State jurisdiction was seen to need an increased but still complementary effort by the Federal Government.

During the latter part of the 18th Century and all of the 19th Century, this dual approach to criminal conduct developed and matured. The present posture of criminal law in the United States is consistent with that intended by the Founding Fathers: the States retain jurisdiction over crimes committed within the State which are local in nature; the Federal Government has jurisdiction over certain crimes that involve interstate commerce, taxes, assaults on Federal and foreign officials, and the like.

of justice, and the Bureau of Alcohol, Tobacco, and Firearms of the Department of the Treasury.

Yet, Federal efforts remain auxiliary to State in combating the crime problem. The common crimes such as murder, rape, robbery, burglary, fraud, perjury, obscenity, extortion, and many, remain largely crimes.

Even where Federal jurisdiction exists, the States may have limited Federal involvement. Thus, the Congress has enacted such provisions as that requiring at least \$5,000 worth of certain kinds of stolen property involved before it is a Federal offense to transport property in interstate commerce (18 U.S.C. 2314).

The Federal Government has jurisdiction over crimes which are national in nature, such as crimes involving national security, immigration and naturalization, actions of the Government itself, internal revenue and customs matters, civil rights, and regulatory matters. The Federal Government also complements State law in common crimes such as theft, onetime to riot, and kidnapping may involve interstate commerce; therefore, Federal power is brought to bear to apprehend and punish a violator where no State could effectively extend its jurisdiction to do so.

### Powers of the Congress

Since there are no common law crimes against the States, only those acts which the Congress forbids and punishes are Federal crimes. These acts now number the many hundreds, and most legislation relating to them is found in title 18 of the United States Code.

The powers of the Congress to forbid and punish crimes derive from several sources in the Constitution: three clauses, however, other than the impeachment clause, actually mention crimes which the Congress enact legislation to punish.

Two of these are in Article I, Section 8. The first, Clause 6, empowers the Congress: "... To provide for the Punishment of counterfeiting the Securities and current Coin of the United States. . . ."

The second, Clause 10, empowers the Congress: "To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations. . . ." This clause contains the only specific of constitutional power to the Congress to prohibit and punish offenses committed outside the territorial jurisdiction of the United States.

The third reference is found in Article III, Section 3, defining treason:

"Treason against the United States, shall consist in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

"The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall include Corruption of Blood, or Forfeiture except during the Life of the Person attainted."

of Congress thereon.

This clause is referred to variously as the "necessary and proper" clause or the "coefficient" clause. It constitutes a broad grant of power from the people to the Congress to carry out its responsibilities, which include providing for the collection of taxes and duties, the regulation of interstate and foreign commerce, rules of naturalization and laws on bankruptcies, the coinage of money, the establishment of post offices, and the calling forth of Armed Forces to suppress insurrection.

This duty of the President is taken to include, therefore, the powers of investigation and prosecution of violations of Federal criminal law and the power to take appropriate steps to prevent the violation of Federal law.

## Powers of the Judiciary

The Constitution establishes the Federal judiciary in Article III, Section 1:



That this clause is a broad grant of power, and not a limiting restraint, was established in *McCulloch v. Maryland*, 4 Wheat. 316 (1819), in which Chief Justice Marshall said of the powers of the Congress under this clause:

"Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional." (4 Wheat. at 421.)

It has long been universally conceded that the Congress has the power to create, define, and punish crimes and offenses when necessary to carry out its constitutional duties and responsibilities.

## Powers of the President

The law enforcement power of the President is found in Article II, Section 3, of the Constitution, which requires that the President "... shall take Care that the Laws be faithfully executed. . . ."

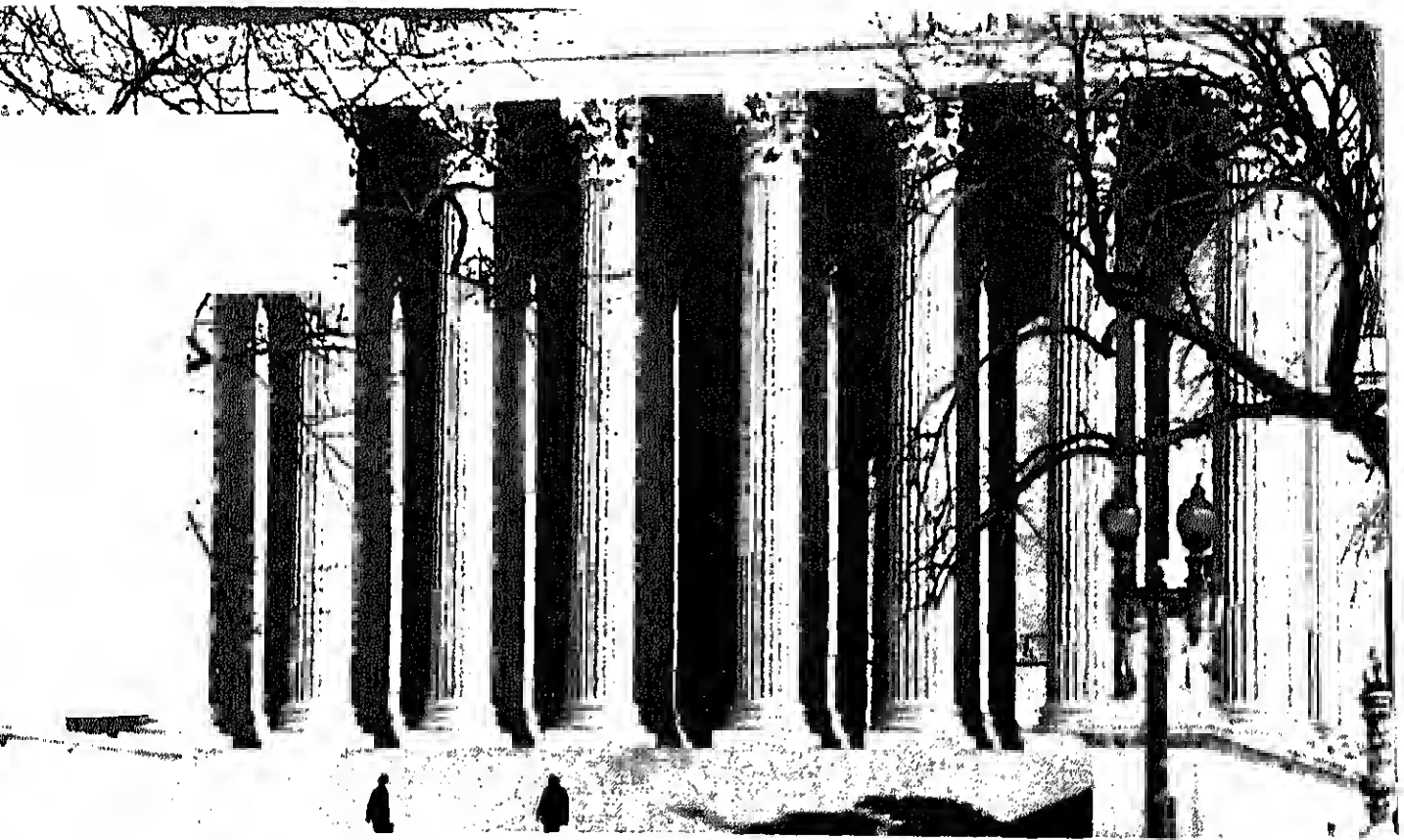
The Capitol at night, Washington, D.C.

"The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

The notion of "judicial power" is a complex one and the phrase is not defined in the Constitution. In summary, however, it is taken to mean the power brought to bear by the court on a specific case when the court has taken jurisdiction over that case.

That power includes the power to order an arrest, to order punishment for contempt, to enforce the orders and subpoenas of an administrative agency, and to prevent injustices, among others.

"the various Federal assistance programs relating to crime prevention and control, including, but not limited to, the Juvenile Delinquency Prevention and Control Act of 1968, the Narcotic Addict Rehabilitation Act of 1968, the Gun Control Act of 1968, the Criminal Justice Act of 1964, title XI of the Organized Crime Control Act of 1970 (relating to the regulation of explosives), and title III of the Omnibus Crime Control and Safe Streets Act



of 1968 (relating to wiretapping and electronic surveillance)." (*Quotation literal.*)

Following are reports on each of those statutes, in the order of their appearance in section 12. Each report contains a brief background of the legislation, major provisions and amendments, and FY 1971 administrative activities pertinent to the legislation.

## Juvenile Delinquency Prevention and Control Act of 1968

The Juvenile Delinquency Prevention and Control Act of 1968 (P.L. 90-451) provides for block grants to States for prevention of juvenile delinquency and rehabilitation of offenders, and for grants to local public and private non-profit agencies for planning, training and research programs.

The approach of the act to solving the problem of juvenile delinquency is community-based; it fosters programs which provide services to youths that are close to

(YIDPA) of the Department of HEW.

Under YIDPA's administration, all but three of the 56 States and other eligible jurisdictions have received comprehensive planning grants. Arizona, Rhode Island, and Texas chose to conduct their juvenile delinquency planning under Law Enforcement Assistance Administration funds, and use YIDPA funds to support prevention and rehabilitation programs. In addition, two regional planning grants were awarded to Texas. Fifty of the 56 jurisdictions designated a single State agency to conduct both juvenile delinquency and crime control planning, while the remaining six formed a separate agency to deal with juvenile delinquency. In FY 1971 a total of 38 comprehensive planning grants were awarded amounting to \$2,096,767.

YIDPA also provided support to public and private nonprofit agencies to plan rehabilitation and prevention projects in FY 1971. Five grants were awarded totaling \$78,909.

Eighteen rehabilitation service grants were funded in FY 1971. These grants provided support to community-based programs to combat juvenile delinquency. The programs include residential and nonresidential treatment programs; community-based alternatives to incarceration; re-entry programs for youth returning home from correctional institutions; and intensified services to probationers through the use of volunteers.

In FY 1971 YIDPA also funded preventive service grants to support community-based programs in the amount of \$6,524,062. YIDPA funded 121 of these programs which included youth service bureaus, drop-in centers, group homes and halfway houses, school-based programs, social and recreation activities, and vocational training.

Grants to support training programs were funded in the amount of \$2,510,000 in FY 1971. Forty-three grants were awarded of which 36 were for short-term training (\$2,269,262), five for curriculum planning (\$31,418), and two for traineeships (\$19,490).

Nine new technique and practice grants were awarded in FY 1971 totaling \$1,461,781. These provide assistance for developing improved techniques and practices for control and prevention of juvenile delinquency. Fifteen technical assistance grants were awarded totaling \$778,959.

## Narcotic Addict Rehabilitation Act of 1966

With the passage of the Narcotic Addict Rehabilitation Act of 1966 (NARA) (P.L. 89-793), Congress inaugurated a rehabilitative approach to the drug problem in the United States. Opium, cocaine, and marijuana had long been subject to special controls, but Federal legislation had been almost exclusively designed to halt the drug traffic and punish violators. The argument was often made that this police approach was inadequate and that more attention should be given to rehabilitating the

addict, but until the passage of NARA, rehabilitation had been confined mainly to State and local efforts.

**Background.** In the more than 60 years since the first drug control legislation had been enacted by Congress (Opium Exclusion Act of 1909), only two bills had been passed authorizing Federal rehabilitation activities for drug addicts. A 1929 law authorized the U.S. Public Health Service to operate two Federal institutions for confinement and treatment of drug addicts. In 1944, the Public Health Service was authorized to treat addicts in any of its hospitals.

The bulk of the drug legislation passed prior to NARA strengthened enforcement laws and increased punishment for habitual narcotics violations. Congress had also provided for the establishment of a Bureau of Narcotics within the Department of the Treasury in 1930, and had attempted to prevent drug smuggling by ratifying several treaties designed to coordinate international efforts to control the drug flow.

The combined effect of congressional action was to make importation or exportation of narcotics in either raw or manufactured form illegal. All manufacture, dispensing, trade, transport, and shipment of narcotics was also illegal except when used for medicinal or scientific purposes, and registered with the Bureau of Narcotics.

During the late 1950's, it became increasingly apparent that the drug problem was increasing in the United States. A report issued by the Senate Committee on the Judiciary in 1956 said that narcotic addiction had increased from one individual in 10,000 (1945) to one in 3,000, and that addicts were responsible for a large majority of crimes which they committed for money to support their habits.

In response to a request by President Eisenhower, an Interdepartmental Committee on Narcotics prepared a report, issued in 1961, which urged passage of legislation authorizing improved hospital treatment facilities and permission for States to commit addicts to Federal hospitals. The report also called for more research at all levels of Government, wider dissemination to doctors of information on treatment and diagnosis, and improved rehabilitation programs.

In 1962, President Kennedy created the Advisory Commission on Narcotics and Drug Abuse whose final report, released by President Johnson in 1964, advocated a rehabilitative approach to narcotic addiction. Further pressure for rehabilitation legislation was exerted by the Subcommittee to Investigate Juvenile Delinquency of the Senate Committee on the Judiciary, which filed a report in August 1964 urging enactment of legislation permitting

congressional policy regarding narcotics abusers. It provides for commitment of addicts voluntarily to medical institutions instead of prisons. Provision is also made for extensive aftercare.

The act provides for commitment to institutional treatment and intensive follow-up care for three classes of addicts: those accused of a Federal crime, other than a crime of violence (title I); those convicted of a Federal crime (title II); and those charged with or convicted of no Federal crime, if the addict or "related individual" requests such treatment (title III).

The act, which makes commitment procedures discretionary with Federal district courts, provides that a person charged with a crime can voluntarily undergo examination and commitment for up to 36 months. If treatment is successful, the criminal charge can be dropped. Those convicted of a crime can be committed by the court involuntarily for up to 10 years, but not for longer than the original sentence faced upon conviction. If charged with no crime, an addict can ask to be placed in the custody of the Surgeon General for up to 42 months.

**Amendments.** In 1968, Congress extended the grant program by authorizing funds for the construction and staffing of facilities for alcoholics and narcotics addicts.

In 1969, Congress authorized appropriations to construct, operate, and staff facilities for rehabilitation of alcoholics and narcotics addicts.

In 1970, Congress passed the Comprehensive Drug Abuse Prevention and Control Act which consolidated the heterogeneous body of Federal narcotics legislation. A provision of this act amended the Community Mental Health Centers Act to increase authorizations for funds for community facilities for treatment of narcotics addicts and drug-dependent persons. The Community Mental Health Centers Act was also amended to authorize funds for drug abuse education projects in FY 1971 to FY 1973. Funds for special projects in treatment and rehabilitation for addicts and drug dependent persons also were authorized.

**Administration.** NARA is administered by both the National Institute of Mental Health (NIMH) in the Department of Health, Education, and Welfare, and by the Bureau of Prisons in the Department of Justice.

Titles I and III are administered by NIMH. These two titles provide for civil commitment to the Surgeon General of narcotics addicts charged with certain nonviolent crimes who desire treatment. They also provide for the treatment of narcotics addicts who are not charged with criminal offense but who themselves apply for rehabilitation. Federal prisoners who are narcotics addicts are treated under title II of the act by the Bureau of Prisons.

- NIMH program offers medical, psychiatric, and social services after a period of examination and treatment. The patient undergoes an in-patient stage, lasting 6 months, followed by a 36-month period

of aftercare in the patient's home community. The goal is total rehabilitation, and the assumption of responsibility by the addict for his behavior is stressed.

**Implementation.** By the end of FY 1971, approximately 165 contracts were awarded to local mental health, family service, vocational rehabilitation, and other agencies for the treatment of narcotics addicts committed to the care of the Surgeon General. These contracts provided a wide range of services in 153 cities and 44 States. On June 30, 1971, there were 2,078 patients remaining in the program, an increase of 120 over the previous year.

The effort to provide rehabilitation facilities in the addicts' home communities, rather than in the Clinical Research Centers of NIMH, resulted in the extension of 42 aftercare contracts to local facilities, and 19 contracts to provide in-patient treatment. During the year, 629 examinations, representing twice that of the previous year, were conducted in 29 community agencies; and 106 patients, five times that of the previous year, received in-patient treatment in nine community agencies. Additional examination and treatment agencies will be utilized in FY 1972.

In FY 1971 admissions to NIMH's Clinical Research Centers declined considerably while admissions to community-based facilities substantially increased. There were 500 fewer admissions to the NARA program in FY 1971 than FY 1970, but the numbers entering aftercare and post-hospitalization programs increased from 756 in 1970 to 931 in FY 1971.

The Bureau of Prisons program consists of two phases. The first takes place in the institution where inmates receive intensive counseling. The second is conducted in the community, where the addict participates in a specialized aftercare treatment program designed to prevent relapse to drug use.

Following an institutional stay averaging 15 months, NARA parolees are assigned to community aftercare treatment, provided by more than 50 public and private organizations under contract to the Bureau of Prisons. Currently, 380 releasees are participating in this program.

## Gun Control Act of 1968

The Gun Control Act (P.L. 90-618) was one of two bills passed in 1968 that strengthened Federal control of firearms.

The first of the two, the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351), contained a provision which prohibited interstate shipment to and over-the-counter purchase of handguns by individuals who did



A Dayton (Ohio) Crime Laboratory technician inspects breech of shotgun to be used as evidence.

live in the dealer's State. The Gun Control Act, passed soon after, broadened Federal jurisdiction to long guns and ammunition.

**Provisions.** The major provisions of the Gun Control Act provide for a ban on interstate transactions in firearms, ammunition, and prohibit a person from receiving firearms and ammunition from out of State. Over-the-counter sale of firearms to a person who does not live in a dealer's State also is prohibited, with one limited exception.

Interstate mail order shipment and receipt of firearms are permitted under the act, but only if the buyer submits to the seller a sworn statement attesting to his competence and setting out the essential facts of the transaction. The seller is then required to notify the buyer's local law enforcement agency. If no objection is received within 7 days, the seller can make delivery. Contiguous State transactions are allowed if the same affidavit procedure as for interstate dealings is followed. In all cases, however, no

sale is permitted of rifles, shotguns, or ammunition to persons under 18, and of handguns to persons under 21.

Various licensing provisions for manufacturers, dealers, importers, and collectors are also included in the act. With the exception of collectors, these same persons are required to keep records of each shipment, sale, and receipt of a firearm including all salient information regarding the purchaser.

Several types of firearms, including machine guns, and short-barreled shotguns, require Federal registration and prior approval is required before these types of firearms may be transferred. With certain exceptions, importation of foreign-made military surplus weapons is also prohibited.

The act also prohibits the sale of firearms to convicted felons, fugitives from justice, or persons under indictment for crimes punishable by more than 1-year imprisonment;



cally administered gun control laws since the first such legislation, the National Firearms Act of 1934, was enacted. That law sought to curb traffic in, and possession of, certain types of firearms by the imposition of a tax; thus, it was the responsibility of the Department of the Treasury to administer it.

The administrative function of the Department regarding firearms laws now rests in the Bureau of Alcohol, Tobacco, and Firearms, part of the Department of the Treasury.

During FY 1971, ATF seized 7,995 illegal firearms, and 2,223 persons were arrested for violations of the firearms laws.

Tracing firearms is a primary feature of ATF's assistance to State and local law enforcement groups. In FY 1971, ATF received 873 requests for assistance in tracing foreign-made guns from Federal, State, and local law enforcement agencies, and 82 percent of these were successfully traced to the domestic importer.

War trophy firearms. Policies and requirements for the possession and retention of war trophies, including firearms, traditionally have been established by the Armed Services themselves. Policies and procedures for bringing such trophies into the United States have been developed and enforced mutually by the Department of Defense and the Department of the Treasury, both prior to and since enactment of the Gun Control Act of 1968.

## Criminal Justice Act of 1964

In 1964, Congress enacted the Criminal Justice Act (P.L. 88-455), which, for the first time, authorized adequate legal counsel at public expense for indigent defendants.

Background. Prior to the passage of the act, indigent defendants often did not receive adequate defense because court-appointed lawyers were not paid, received no investigative or expert help, and often were not appointed

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indigent defendants. Payment in excess of any maximum amount may be made for extended or complex representation when the court in which the representation was rendered, or the United States magistrate if the representation was furnished exclusively before him, certifies that the excess payment is necessary to provide fair compensation. The chief judge of the circuit also must approve the payment.

Amendments. The 1970 amendments (P.L. 91-447) to the act authorized creation of a Federal and community defender system. According to the law, any district or part of a district, or two adjacent districts or parts of districts, in which at least 200 people annually required court-appointed counsel could establish a Federal public defender system or a community public defender system.

A Federal public defender organization consists of salaried Federal attorneys operating under the supervision of a Federal public defender appointed by the Judicial Council of the circuit. Community public defender organizations are also authorized. These can initially be funded by a Federal grant and can receive periodic sustaining Federal grants. No public defender or attorney appointed by him is allowed to engage in the private practice of law.

The new amendments also enlarged the categories of persons whose counsel can be compensated under the act. These were amended to include juvenile delinquents, probation violators, those subject to revocation of parole, and anyone for whom counsel is required by law.

Administration. On February 11, 1971, the new amendments to the Criminal Justice Act became effective. The Administrative Office of the United States Courts is charged with implementing the act, as amended. By the close of FY 1971, seven districts had begun operating under a Federal public defender system and grants had been approved to two community defender organizations. The remaining judicial districts are operating either on a direct assigned counsel system or under legal aid or defender organizations, relying entirely on the fee system.

In FY 1971 counsel were appointed for more 38,000 defendants and 1,800 appellants.

## Organized Crime Control Act of 1970 (Title XI)

As a result of a rash of bombings in 1970, causing damage estimated at \$640,000, explosive control sections were added by the Congress to the Organized Crime Control Act of 1970 (P.L. 91-452).

explosives unless they were used as components with other specified materials in destructive devices.

Title XI of the Organized Crime Control Act of 1970 strengthened the existing laws in several ways. It established a system of controls over interstate and foreign commerce of explosives through licensing and permits; it prohibited distribution of explosives to certain categories of persons; and it broadened and strengthened the scope of Federal law regarding the illegal use, transportation, or possession of explosives for the purpose of damaging or destroying Federal property or that of institutions receiving Federal aid.

**Administration and enforcement.** Licensing authority is vested in the Secretary of the Treasury by the act, and responsibility for enforcement of regulatory provisions is placed in the Bureau of Alcohol, Tobacco, and Firearms (ATF), part of the Department of the Treasury.

Both the Federal Bureau of Investigation (FBI) and ATF have investigative jurisdiction over the nonregulatory explosives offenses. The Department of Justice and the Department of the Treasury adopted temporary guidelines for allocating these responsibilities.

## Omnibus Crime Control and Safe Streets Act of 1968 (Title III)

The Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351) includes title III, which permits wiretapping in a variety of specified cases. In most instances, law enforcement officers are required to obtain a warrant; but in an emergency situation, the officer can wiretap first, and apply for a warrant later. The Congress anticipated that this provision would aid especially in cases involving organized crime.

**Intercept provisions.** The act authorizes the Attorney General, or any specially designated Assistant Attorney General, to approve applications to any Federal judge for a warrant approving wire or oral intercepts relating to a wide variety of specified Federal offenses constituting threats to the national security, major crimes, or racketeering-oriented offenses. If State statute also authorizes it, the act authorizes the principal prosecuting attorney of the State or political subdivision to apply to a State judge for a warrant approving intercepts relating to any crime dangerous to life, limb, or property and punishable by imprisonment for more than 1 year.

The act also provides for emergency intercepts. Any official designated by either the Attorney General or the principal prosecuting attorney of a jurisdiction who reasonably determines that an emergency situation exists, with respect to conspiratorial activities threatening national security or related to organized crime, can conduct wire or oral intercepts without a warrant. It is required that such an officer apply for a warrant within 48 hours thereafter.

The act contains provisions to safeguard the rights of those whose communications are intercepted. Among these safeguards is the provision prohibiting the use at trial of the contents of any warrantless intercept made in violation of law; the provision which requires the judge granting or denying an intercept to inform the person whose communications were to be intercepted of the fact of the approval or denial of the warrant within 90 days; the provision which requires that the prosecution inform a defendant, if possible, at least 10 days before trial that an intercept was made and provide him with a copy of the warrant; and the provision which permits an aggrieved person to move to suppress the contents of an intercepted communication on the grounds that it was unlawfully intercepted, the warrant was insufficient, or the intercept was not made in conformity with the warrant. In this last instance, the United States is authorized by the act to appeal a judge's ruling which grants a defense motion to suppress the intercept evidence.

In addition, the act calls for criminal penalties for anyone who unlawfully intercepts a wire or oral communication, or unlawfully manufactures wiretapping devices. The act also provides for the seizure and the forfeiture to the United States of any equipment made or transported in violation of the law.

**Reporting requirements.** Also included in the act is a provision which requires any judge who issues or denies an application for a warrant to report to the Administrative Office of the United States Courts within 30 days of the expiration of the warrant the fact that a warrant was applied for, the action taken, and other appropriate information. The act also requires that the Attorney General, or specially designated Assistant Attorney General or those State officials authorized under the act to apply for warrants, make a report to the Administrative Office each January of similar information and the number of arrests, trials, motions to suppress, and convictions in which intercepts were involved. The Administrative Office is then required to report a summary of such information to the Congress each April.

The first report was submitted to the Congress on April 30, 1969, and covered the period June 20, 1968, to December 31, 1968. The second and third reports were submitted on April 30, 1970, and April 30, 1971, and covered calendar years 1969 and 1970.

In calendar year 1970, there were 596 reports on applications for intercept orders made to State and Federal



# Recent Federal Anticrime Legislation

Under the Constitution, the Congress determines what constitutes a Federal crime in the United States and what punishment or treatment is appropriate for those persons who violate Federal criminal law.

The Congress also decides what broad programs will be established and it determines what national resources will be committed to carry out those programs.

This section of this report describes recent actions of the Congress in enacting legislation in the area of Federal law enforcement and criminal justice assistance.

No attempt is made here to be exhaustive as to the many statutes enacted which bear in one way or another on the problem of crime. Rather, this section reports on highlights of congressional activity. Statutes are reported on in chronological order, except for the miscellaneous section at the end of this essay.

## District of Columbia Court Reform and Criminal Procedure Act of 1970

The District of Columbia Court Reform and Criminal Procedure Act of 1970 (P.L. 91-358) was signed into law on July 29, 1970.

The act has two major titles; the first deals with the reorganization of District of Columbia courts, and the second with criminal law and procedure in the District of Columbia.

**D.C. court reform.** Title I of the act, also known as the District of Columbia Court Reorganization Act of 1970, authorizes modernization of the court system in the District of Columbia. This title also revises the Juvenile Code, and broadens admissibility of evidence.

The act authorizes the new Superior Court of the District of Columbia to take jurisdiction over local matters from the Federal courts through a three-step transfer. Superior Court incorporates the District of Columbia Court of General Sessions, the Juvenile Court of the District of Columbia, and the District of Columbia Tax Court. The act also authorizes the District of Columbia Court of Appeals to function like a State supreme court.

The act authorizes 17 new judges, and creates a joint commission to remove or involuntarily retire judges of the new District of Columbia court system for disability or misconduct. An executive officer is authorized to manage court operations for the entire District of Columbia court system.

The District of Columbia Juvenile Code is restructured by the act. The act specifies that there will be no jury trials for juveniles, and that anyone 16 years of age or older will be tried as an adult if he is charged by the U.S. attorney with murder, rape, or armed robbery, or with assault with intent to commit any of those crimes.

The act also lowers from 16 to 15 the age at which a juvenile charged with an act which would constitute a felony if committed by an adult can be transferred from a juvenile court for criminal prosecution as an adult.

crime punishable by death or imprisonment in excess of 1 year, or if the crime involved dishonesty or statement.

**Criminal law and procedure.** Title II of the act contains provisions relating to criminal law and procedure in the District of Columbia.

Under the act, the District of Columbia criminal law is amended to provide for increased sentences for multiple offenders, increased penalties for breaking and entering vending machines and similar devices, prohibitions against resisting arrest, prohibitions against molotov cocktails and other incendiary devices, and other amendments.

The act stipulates that anyone convicted of a third felony can be imprisoned for life; anyone convicted of a third criminal offense can be fined up to three times the maximum amount prescribed for such an offense, or imprisoned for up to three times the maximum term for a first offense. The act also stipulates that a second armed crime of violence be punished by a mandatory minimum sentence of 5 years.

The act makes it a crime to possess, make, or use molotov cocktails or other incendiary devices in the District of Columbia.

In addition, the act states that there is no justification for reason to resist arrest, even if the arrest is unlawful.

Title II of the act also includes a revision and codification of title 23 of the District of Columbia Code, relating to criminal procedure in the District of Columbia. Among the subjects on which the law was revised in this title are search warrant authorizations, guidelines for wiretapping, and authorization for pretrial detention.

The act allows nighttime search warrants, and provides for "no knock" search and arrest warrants. These latter warrants permit the executing officer to break into and enter dwellings or other buildings or vehicles without giving prior notice of his identity and purpose, if there is probable cause that otherwise evidence would be destroyed, suspects would escape, or the safety of police officers or others would be jeopardized. A "no knock" entry is permitted if not included in the warrant only if new circumstances are discovered at the time of the entry that made use of a "no knock" entry advisable.

The act also permits wiretapping and electronic surveillance in accordance with title III of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351). Wiretapping is permitted for a number of serious crimes, including arson, blackmail, burglary, gambling, grand larceny, kidnaping, and murder. Penalties are specified for the illegal use of wiretapping or electronic surveillance.

Pretrial detention is authorized in certain cases by the act if no conditions of release could be set which would assure the community's safety. The period of pretrial detention is limited to 60 days unless the trial is in progress or has been delayed by the defendant other than by filing of timely motions. The act also provides that in cases of persons detained should be placed on an expedited calendar.

Public defender system. Title III of the act redesignates the District of Columbia Legal Aid Agency as the District of Columbia Public Defender Service. The new service is authorized to represent up to 60 percent of persons unable to obtain adequate representation, and is charged

Other provisions. Among the other provisions of the act, title V charges the Corporation Counsel of the District of Columbia to represent any police officer sued for wrongful arrest, or to pay the fees for private counsel. Title VI abolishes the Commission on Revision of the Criminal Laws of the District of Columbia.

## Organized Crime Control Act of 1970

The Organized Crime Control Act of 1970 (P.L. 91-452) was enacted, as expressed in the introductory statement of findings and purpose of the act, "to seek the eradication of organized crime in the United States by strengthening the legal tools in the evidence-gathering process, by establishing new penal prohibitions, and by providing enhanced sanctions and new remedies to deal with the unlawful activities of those engaged in organized crime."

The act, signed into law on October 15, 1970, places new legal tools in the hands of law enforcement personnel to combat organized crime activities. Following is a discussion of the major provisions of the act.

**Grand juries.** The act requires special grand juries to be called by district courts in judicial districts containing more than 4 million inhabitants to sit at least once every 18 months to inquire into offenses against the laws of the United States, to return indictments as appropriate, and to submit reports to courts concerning noncriminal misconduct by appointed public officials involving organized criminal activity, or organized crime conditions in the area (title I). The grand juries can also be called in other districts on certification of the Attorney General. It is specified that these grand juries serve for terms of from 18 to 36 months.

**Witness immunity.** The act repeals all witness immunity laws and provides a procedure by which Federal legislative, administrative, and judicial bodies may issue orders which compel a witness to testify despite his claim of the privilege against self-incrimination; however, such compelled testimony or information directly or indirectly derived therefrom, may not be used against the witness in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order (title II).

The act authorizes the detention of recalcitrant witnesses for up to 18 months. It specifies that confinement cannot exceed the life of the court proceeding, or the term of the grand jury (title III).

The law governing what constitutes perjury is changed by the act. Direct proof and testimony from two witnesses are eliminated as determinative evidence. Instead, the act authorizes conviction for perjury based on obviously conflicting statements made under oath (title IV).

Maintenance and protection of Federal and State witnesses and their families in organized crime cases is authorized (title V).



view of Government records to ascertain their possible relevance prior to their disclosure to a defendant who establishes that their origin was illegal (title VII).

**State law and illegal gambling.** The act declares it a Federal crime to plot to obstruct State law in order to facilitate the operation of an illegal gambling business (title VIII).

**Other provisions.** The act declares it a crime to use money gained through organized crime to acquire, establish, or operate a business engaged in interstate commerce (title IX).

Increased sentences of up to 25 years are authorized for dangerous adult special offenders (title X).

The act establishes a system of Federal controls over interstate and foreign commerce of explosives (title XI).

## **Comprehensive Drug Abuse Prevention and Control Act of 1970**

The Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513), enacted October 27, 1970, provides for increased research into, and prevention of, drug abuse and drug dependence; provides for treatment and rehabilitation of drug abusers and drug dependent persons; and strengthens existing law enforcement authority in the field of drug abuse.

Three titles of the act deal exclusively with the drug problem: title I provides for rehabilitation of drug dependent persons and narcotics users, and provides for drug education and special projects; title II deals with control of narcotics and law enforcement; and title III establishes a uniform system of controls for export and import of narcotics.

The remaining title of the act, title IV, requires a report to the Congress on certain advisory councils by the Secretary of Health, Education, and Welfare.

**Rehabilitation.** Title I of the act, dealing with rehabilitation, amends those provisions of the Community Mental Health Centers Act relating to drug abuse.

The Comprehensive Drug Abuse Prevention and Control Act authorizes the Department of Health, Education, and Welfare (HEW) to increase its programs of rehabilitation, treatment, and prevention of drug abuse. Authorizations are also increased for community facilities, drug education projects, and for special projects.

Under the act, the direct patient care authority of HEW is expanded to include drug-dependent persons as well as narcotic addicts. The Secretary of HEW, after consultation with the Attorney General and professional organizations, is also authorized to report to the Congress on appropriate and legal methods of professional practice in the medical treatment of narcotic addicts.

**Control and enforcement.** New provisions for control of dangerous substances and enforcement of drug laws are included in title II of the act.

The act authorizes the Bureau of Narcotics and Dan-

or removing a substance from control.

The Attorney General is authorized to adopt rules for registration and control of the manufacture, distribution, and dispensing of controlled substances. He also is authorized to set some production quotas.

Under the act, the entire penalty structure for narcotics abuse is revised. One important element of this revision is the elimination of all mandatory minimum sentences except for professional criminals. A minimum sentence for a "professional" trafficker is set at 10 years with a maximum fine of \$200,000; a second conviction would result in a 20-year sentence, with a maximum fine of \$200,000. Special sentencing of up to 35 years is authorized by the act for special dangerous drug offenders.

The possession of a controlled substance by a first offender becomes a misdemeanor under the provisions of the act. The law also specifies the same penalty as for possession for anyone distributing a small amount of marijuana with no payment received. Anyone 18 years of age or older who was convicted of distributing a controlled substance to a person 21 years of age or younger is subject to twice the penalty otherwise authorized.

The Attorney General is authorized under title II of the act to carry out educational and research programs related to the enforcement of the drug laws.

Also authorized under the act are search warrants containing a "no knock" clause in cases where evidence would otherwise be destroyed or the lives of people involved would be in danger.

Title II also includes a provision which created the Commission on Marijuana and Drug Abuse. This commission was asked to report to the Congress within 1 year on marijuana, and within 2 years on causes of drug abuse.

**Import and export.** Title III of the act, dealing with import and export of controlled substances, establishes a uniform system of controls over the importation and exportation of the dangerous substances listed in the act. Stricter supervision was inaugurated, and the penalty structure for violations of these control laws was revised, eliminating mandatory minimum sentences.

## **Omnibus Crime Control Act of 1970**

The Omnibus Crime Control Act of 1970 (P.L. 91-644), signed by the President on January 2, 1971, amended the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351) and added several new provisions related to law enforcement.

The 1968 act had provided for the establishment of the Law Enforcement Assistance Administration (LEAA) in the Department of Justice. LEAA was authorized under the act to make grants to States for planning and action programs. The act provided that all of the planning grant funds and 85 percent of the action grant funds be allocated to States. The States, in turn, were required to channel at least 75 percent of the action grant funds, and 40 percent of the planning grant funds, to local governments. The act also made funds available for research, and LEAA was authorized to make grants to colleges

**Funding requirements.** The grant funding program to States was retained, but the 1970 act amended the provision which required State planning agencies to distribute 75 percent of the action funds, and 40 percent of the planning funds to local agencies. It was required that each State pass on to local units the amount of Federal grant money corresponding to the part of total Statewide law enforcement expenditures for the preceding year which were funded and spent by local units.

The 1970 act also required that LEAA grant 20 percent of all funds allocated to it for correctional programs and facilities, and it authorized (part E) a new program of assistance to State and local government to upgrade correctional facilities.

The 1968 act had limited LEAA funding to 60 percent of the costs of projects. This was revised by the 1970 amendments to allow LEAA to fund up to 75 percent of the total cost of most projects. As an exception to this rule, LEAA was authorized to waive the matching requirement in cases of grants to Indians and other aboriginal groups.

The 1970 act authorized LEAA to grant funds to universities to finance student internships with law enforcement agencies. The act also changed the provision in the 1968 act which stipulated that no more than one-third of law enforcement salaries could be paid by LEAA funds.

**Report to the Congress.** A further provision of the 1970 act required the Attorney General to submit to the Congress and the President following the close of the fiscal year a report on all Federal law enforcement and criminal justice assistance activities.

**Other provisions.** Other titles in the act do not pertain to LEAA, but are related to law enforcement.

Title II of the act makes it a crime to carry a gun while committing a Federal crime. Anyone convicted of this crime can be sentenced to an additional term of from 1 to 10 years for a first offense, and from 2 to 25 years for each subsequent offense.

Title III deals with criminal appeals. The act states that the United States can appeal any dismissal of an indictment in a criminal case unless such an appeal would place the defendant in double jeopardy. The United States is also authorized to appeal orders suppressing evidence.

Title IV of the act makes it a Federal crime to kidnap, assault, or kill, or endeavor or conspire to do so, any Member or Member-elect of the Congress.

Title V prohibits unauthorized entry into a building or grounds of any temporary residence of the President.

Title VI of the act reestablishes the National Commission for Review of Federal Laws Relating to Wiretapping and Electronic Surveillance that had been disestablished earlier in the year.

**Alcoholism.** In FY 1971 the Congress passed the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.L. 91-616). This act establishes the National Institute on Alcohol Abuse and Alcoholism in the National Institute of Mental Health. The Institute is charged with administering the programs and authorities assigned to the Secretary of HEW with respect to alcohol abuse and alcoholism.

The act also contains provisions relating to treatment and rehabilitation from alcohol abuse and alcoholism for Federal civilian employees. The United States Civil Service Commission is made responsible for implementation of these programs. The Secretary of HEW is also charged with fostering similar prevention and rehabilitation programs in State and local governments and in private industry.

The Secretary is empowered by the act to make grants to States to plan, establish, maintain, coordinate, and evaluate prevention, treatment, and rehabilitation programs dealing with alcohol abuse and alcoholism. To participate, States are required to submit State plans.

The Secretary is also empowered to make grants to public and private nonprofit agencies.

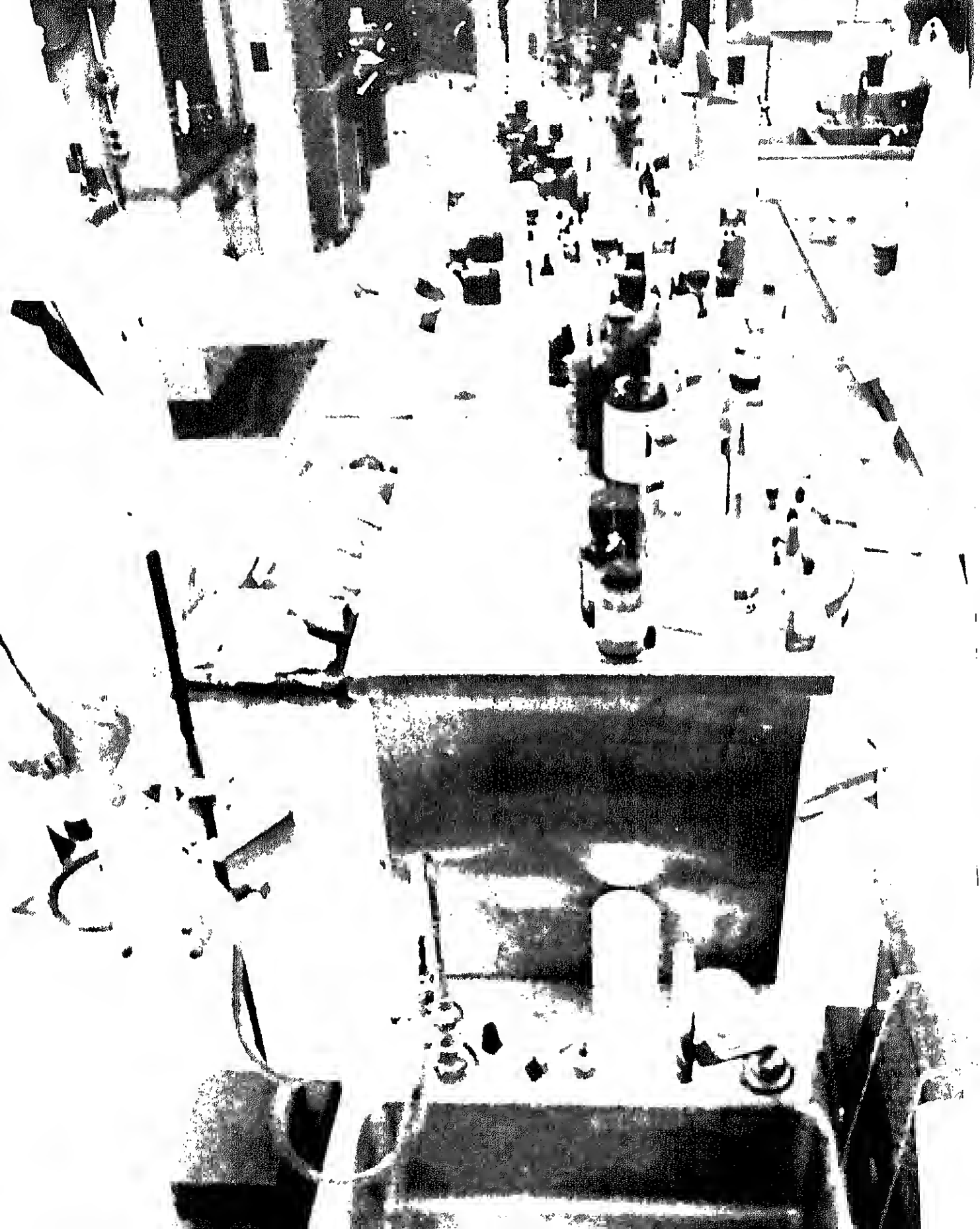
The act also establishes the National Advisory Council on Alcohol Abuse and Alcoholism which is charged with advising, consulting with, and making recommendations to the Secretary in the field of alcohol abuse; reviewing research projects and recommendations; and collecting and disseminating information relating to the field.

**Drug abuse education.** The Drug Abuse Education Act of 1970 (P.L. 91-527) authorizes the Secretary of HEW to make grants to local educational agencies and other public and private nonprofit agencies for communications information on drug abuse. Grants can be used to develop curricula, disseminate educational materials, provide training programs for teachers and law enforcement officials, and offer community education programs to parents and others.

The Secretary of HEW is authorized to make grants to public and private nonprofit agencies for community-oriented education projects on drug abuse, as well.

**Aid to the District of Columbia.** In addition to the District of Columbia Court Reform and Criminal Procedure Act of 1970, discussed above, several other laws were enacted which pertained to law enforcement in the District of Columbia.

**Other law enforcement acts.** The Congress also passed P.L. 91-492, which authorizes the Attorney General to commit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released; P.L. 91-339, which amends the Youth Corrections Act to permit Board of Parole examiners to conduct interviews with youth offenders; and P.L. 91-523, which relates to State jurisdiction over offenses committed by or against Indians on Indian reservations.



The central national effort against crime is being waged at the State and local level, which is appropriate both to the facts of government in the Nation and to the nature of the problem itself.

But it is incumbent upon the Federal Government to provide as much leadership and assistance to all forces as is possible.

The President is in a position to provide the basic plan and the leadership, and the Congress is in a position to provide the basic funds and other resources to carry out the responsibilities of the Federal Government toward States and municipalities.

In requiring this report, the Congress specified that Federal programs of criminal justice assistance be described and reported on. This essay is presented in an effort to meet that requirement.

## Scope of Assistance

Many Federal departments and agencies, including all Cabinet-level departments, operate programs designed to aid law enforcement efforts at the State and local level.

Such aid includes financial assistance, technical assistance, personnel education and training, information sharing, and other contributions of Federal resources to State and local criminal justice activities. It is aimed at improving the effectiveness of State and local police departments, correctional institutions, courts, and other components of the criminal justice system.

The Law Enforcement Assistance Administration (LEAA), Department of Justice, is the one Federal agency with the specific mission of improving the entire criminal justice system through a comprehensive approach of assistance at all levels. It administers block grants to States on the basis of population as well as discretionary grants to States, cities, and local agencies and grants in areas such as research and technical analysis.

The assistance activities of other Federal agencies are related to the particular areas in which those agencies operate and the special resources they are able to bring to bear on the problems of law enforcement.

The remainder of this introduction on Federal assistance activities catalogues the programs by the areas which they address (police, juvenile delinquency, etc.). This provides a cross reference for the remainder of the essay,

in which assistance programs are described, in brief, under the departments and/or agencies in which they are operated. Further details on specific programs can be found in the chapters of this volume on the various Federal departments and agencies.

**Police.** The Federal Government provides support, in addition to LEAA support, for almost every phase of police work. Police enforcement efforts may be augmented by Department of Defense personnel in cases of civil disorder or explosive ordnance disposal. The Federal Bureau of Investigation (FBI) assists through fugitive location and investigation of police killings on request, and the Bureau of Narcotics and Dangerous Drugs (BNDD) provides agents who assist police in local drug investigations and supplies funding to local agencies for purchasing the services of informants. The Coast Guard may be called upon to assist local enforcement agencies in locating bodies lost at sea and in transporting local law enforcement personnel to the scene of crimes or investigations.

Police recruitment and training programs are conducted by the U.S. Civil Service Commission for the District of Columbia Metropolitan Police Department. Programs operated by the Office of Economic Opportunity, the Community Relations Service (part of the Department of Justice), and the Federal Trade Commission all support various facets of improved police relationships and services to their local communities.

A program to compensate police officers disabled while dealing with a Federal crime is carried out by the Department of Labor, and the Federal Communications Commission provides technical assistance by advising police departments on communications systems and license applications. Funding assistance for a wide variety of police activities is provided by the Model Cities Program (part of the Department of Housing and Urban Development).

**Juvenile delinquency.** The Department of Health, Education, and Welfare (HEW) through its Office of Education (OE) and its Youth Development and Delinquency Prevention Administration (YDDPA)—and LEAA contribute the major share of Federal funding for the prevention and control of juvenile delinquency.

Several programs to develop educational opportunities for youths in juvenile correction institutions are funded by OE, while YDDPA funds both preventative and rehabilitative programs for juveniles. The Office of Child Development of HEW awards research and demonstration grants to local, State, and private agencies for studies in delinquency prevention and control.



Many local police departments receive Federal funding for classroom instruction.

The Department of Housing and Urban Development supports programs which deal with juvenile delinquency in urban areas, including a vocational training program for young men in the District of Columbia and many projects operated through the Model Cities Program. Office of Economic Opportunity programs to combat juvenile delinquency attack early root economic causes through projects to provide organized recreation and other community services to young people.

habilitation. A variety of community prevention programs is supported by LEAA and the Bureau of Narcotics and Dangerous Drugs. BNDD also assists educational efforts of local organizations by providing speakers and materials on drug abuse. Rehabilitation programs are supported by the Department of Housing and Urban Development through its Model Cities Program; the Office of Economic Opportunity; the Bureau of Prisons; and LEAA.

**Personnel training.** Programs funded or operated by Federal agencies to provide training to criminal justice personnel are aimed at improving State and local capabilities for crime prevention, law enforcement, and offender rehabilitation. Federal agencies with expertise in a particular field operate programs which will train officials in that area.

The Department of Defense provides bomb and civil disturbance control training to law enforcement personnel; the Bureau of Narcotics and Dangerous Drugs trains local narcotic agents and investigators; the FBI provides assistance to various local law enforcement training schools and trains police officers at the FBI National Academy; a number of Model Cities fund local police training; and LEAA funds support a variety of police training programs throughout the country.

Highly specialized training is offered through Federal agencies: the Securities and Exchange Commission offers training in enforcement of Federal securities laws; the Department of Transportation Office of Transport provides training for passenger screening programs at several airports; and the Department of the Interior supports Indian police and judge training, training for State and local wildlife authorities. The Department of the Treasury, the Internal Revenue Service, the Comptroller of the Currency, and the State Secret Service all provide training for local State enforcement personnel, and its Consolidated Federal Law Enforcement Training Center largely trains Federal enforcement personnel, but also accepts State and local officials.

Funds awarded by LEAA support the education of persons who seek careers in criminal justice fields and additional study for those already working in criminal justice. Similarly, YODPA offers funding for study in the field of delinquency control, prevention, and rehabilitation.

**Corrections.** Federal assistance to State and local corrections programs includes funding for new or improved facilities, technical assistance to prison administrators, and services for inmates.

A number of corrections projects are being carried through LEAA funding, while a large share of the technical assistance is conducted by the Bureau of Prisons. Several Federal agencies, including LEAA and the Bureau of Prisons, have initiated inmate services programs.

Bureau of Prisons assistance programs include providing custody for Federal prisoners awaiting trial and during appeals and contracting with private organizations for medical and addict rehabilitation programs for prison releasees.



Department of Labor, through its Manpower Administration, funds vocational training and counseling programs, pretrial intervention programs, and a program to obtain bonding for ex-offenders. Vocational training for inmates is also supported by the Office of Economic Opportunity and the Office of Education, Department of HEW. The Office of Education also provides funding support for the libraries in State correctional institutions.

Research and technology. Laboratory services, scientific development, and funding for research are among the kinds of research and technology assistance provided by the Federal Government.

The FBI, the Bureau of Narcotics and Dangerous Drugs, and the Bureau of Alcohol, Tobacco, and Firearms (part of the Department of the Treasury) provide technical assistance to law enforcement agencies by examining evidence in their laboratories. The National Aeronautics and Space Administration lends technological support by developing means for using technology to aid law enforcement efforts.

LEAA funds many research and technology programs, including two which are being carried out by the Department of Commerce. The National Bureau of Standards, with LEAA funding, established a Law Enforcement Standards Laboratory to develop performance standards for equipment used in law enforcement. LEAA funding to the Bureau of the Census supports a number of surveys which aid State and local law enforcement efforts, including surveys of crime victimization.

Information exchange. Federal agencies which share information with various State and local law enforcement agencies may do so through established reporting procedures, informal ad hoc exchange, or periodical publications.

The most extensive Federal effort in this area is the National Crime Information Center of the FBI which links all 50 States with information on stolen property and wanted persons.

The Internal Revenue Service informs some States when their residents are being criminally prosecuted for Federal tax irregularities. The Social Security Administration provides information such as names and addresses of local and State law enforcement agencies on request. In the Department of Transportation, both the Federal Aviation Administration and the Bureau of Motor Carrier Safety provide relevant information to law enforcement authorities.

The Securities and Exchange Commission publishes the *Securities Violations Bulletin* quarterly to aid law enforcement efforts by indexing names of those involved in

Although often viewed solely as the primary Federal law enforcement department, the Department of Justice also provides a wide variety of assistance to State and local criminal justice agencies.

That assistance begins with the funding and other resources provided by the Law Enforcement Assistance Administration (LEAA), but it also includes substantial contributions by the Federal Bureau of Investigation (FBI), the Bureau of Narcotics and Dangerous Drugs (BNDD), the Bureau of Prisons (BOP), and the Community Relations Service (CRS).

Descriptions of these assistance programs follow.

## Law Enforcement Assistance Administration

The first major effort of the Federal Government to provide large-scale financial assistance for the prevention and reduction of crime at the State and city levels began with passage of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351).

That act created the Law Enforcement Assistance Administration (LEAA), in the Department of Justice, with the mission of providing funds and guidance for State and local crime prevention and reduction programs. The mission of LEAA included undertaking research in law enforcement and criminal justice, providing educational assistance for law enforcement personnel, and developing other programs, such as those now operating in statistics and systems analysis.

In FY 1971, the basic act was amended to provide a new funding program (part E) to assist States in upgrading their corrections systems.

In establishing LEAA, Congress took an approach to Federal funding based primarily on block grants awarded in lump sums to States. The recipient States in turn allocate funds, according to a plan submitted beforehand to LEAA, for their own law enforcement and criminal justice projects at the State, county, and city levels.

That approach recognizes that law enforcement is largely the responsibility of State and local jurisdictions. It also recognizes that solutions to most crime problems are best and most effectively worked out at the State and local level.

**State Planning Agencies.** All 55 jurisdictions funded by LEAA block grants have State Planning Agencies (SPAs), which are required by law to be established as the official recipient agency for Federal funds on behalf of the State. The 55 jurisdictions consist of the 50 States and American Samoa, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

**Comprehensive plans.** Before it can receive its block action funds, each SPA must submit and obtain LEAA approval of a comprehensive plan for the reduction of crime.

**Block grants.** When the plan is approved by LEAA, it then grants block action funds to support programs which implement the plan. The States provide 25 percent of

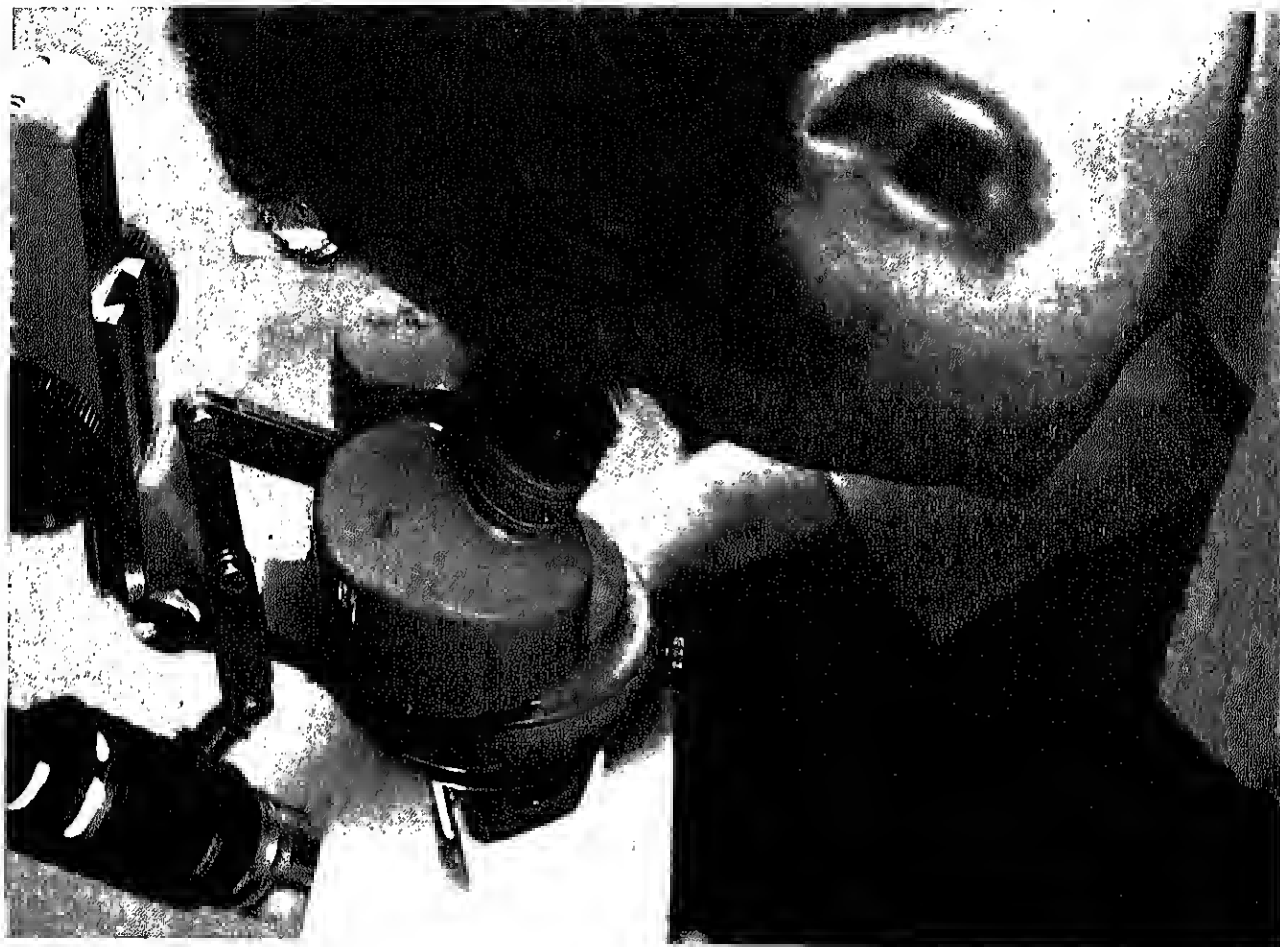


items of criminal intelligence information were forwarded to these other agencies. Much of this intelligence information was provided by FBI confidential informants.

**NCIC.** The National Crime Information Center (NCIC), a computerized information system for Federal, State, and local criminal justice agencies, is linked by leased communications lines to law enforcement agencies in all 50 States, the District of Columbia, and Royal

## Bureau of Narcotics and Dangerous Drugs

The Bureau of Narcotics and Dangerous Drugs (BNDD) provides assistance to States and localities in the form of training, law enforcement, laboratory support, and drug abuse prevention.



Scientific evidence in a crime case is examined in a laboratory supported by Federal funds.

**Canadian Mounted Police Headquarters,** Ottawa, Canada. The system stores information on stolen property and on persons wanted for commission of serious crimes.

**Training.** FBI instructors offered training assistance in 9,110 law enforcement training schools in FY 1971.

Bombings and bomb threats were the topics of 277 law enforcement conferences held in FY 1971. These were attended by 33,730 representatives of some 8,305 different agencies.

During FY 1971, 200 police officers attended the FBI National Academy. Training consists of an intensive 12-week course. Also during the fiscal year, a National Academy Regional Retraining Session was held, attended by 286 graduates of the National Academy.

**Training.** BNDD training programs for local agents and investigators are designed to increase effectiveness in suppressing drug traffic. Four basic programs were operative in FY 1971:

(1) A 2-week law enforcement course offered originally in Washington, D.C., and expanded to accommodate State and local officers who could not attend class there. This course will be offered in about 30 locations in FY 1972.

(2) Seminars of 1 or more days presented to State and local law officers, Boards of Pharmacy personnel, industrial security personnel, professional groups, and health departments.

(3) Participation of BNDD personnel in sessions sponsored by other organizations.

develop curricula for Forensic Chemists Schools in conjunction with the BNDD National Training Institute. In FY 1971, BNDD conducted five Forensic Chemist Seminars attended by 67 students.

**Enforcement assistance.** Enforcement aid to local jurisdictions includes direct BNDD assistance at the agent level. This assistance involves cooperation in intelligence operations such as surveillance and preliminary investigations.

The Enforcement Division of BNDD is authorized to participate in criminal investigations with State and local officers and to develop and coordinate programs with States to ensure compliance with drug laws at the retail pharmacy level. BNDD is also authorized to cooperate in the institution and prosecution of cases in the United States and before the licensing board of the several States. BNDD also has authority to cooperate with State and local agencies in the enforcement of drug laws.

One program for placing BNDD's expertise at the disposal of local agencies was the creation of a joint task force of agents from BNDD and State and local agencies.

The New York City Joint Task Force has been in existence since February 1970 and currently is composed of 35 BNDD agents, 16 State agents, and 99 local police. Funding for the task force, exclusive of salaries, was \$87,500 in FY 1971.

BNDD agents participate in Metropolitan Enforcement Groups (MEGs) which consist of local law enforcement officers and BNDD agents from the local districts. MEGs are funded through LEAA grants, which in FY 1970 amounted to \$350,000 and in FY 1971 reached \$700,000.

Monetary aid, usually for "buy money," comes from BNDD operations allocations. A total of \$49,092 was granted to aid State and local agencies in purchasing evidence and information.

**Laboratory support.** BNDD's regional laboratories offer support and assistance to local law enforcement agencies. This includes analysis of drug evidence and expert court testimony at no charge to the requesting agency.

**Drug abuse prevention.** BNDD has established pilot community projects for drug prevention which involve local leadership in specific communities in each of the 13 BNDD domestic regions. Innovative approaches include establishing contacts with organizations dealing with youth, the arts, business, labor, education, communications, and religion.

As another prevention effort, BNDD provides technical assistance, films, publications, and speakers to public and private agencies, organizations, and institutions in programs which include law enforcement.

## Bureau of Prisons

Bureau of Prisons programs which assist State and local law enforcement efforts are largely operated by the Community Services Division. They include community-based

service programs, jail inspection, training, and technical assistance.

**Community-based services.** Under contract to the Bureau, 61 correctional and other facilities in 41 cities provide community-based programs for offenders.

The Bureau has also contracted with more than 50 private organizations to provide community aftercare treatment to releasees from Bureau rehabilitation facilities.

Contracts with approximately 800 State and local correctional facilities provide for the temporary housing of individuals awaiting trial or transfer to designated Federal institutions, or for those serving short sentences.

**Jail inspection.** Twelve Bureau jail inspectors are assigned to assure that jails under contract to hold Federal prisoners meet Bureau standards of staffing and facilities. The Bureau cooperates with State agencies in upgrading State facilities and their personnel and programs.

Special emphasis is placed on training personnel. For those not available for on-site courses, a Jailer's Correspondence Course is provided for many State and local correctional employees. Under a grant from LEAA, the Bureau and a University of Wisconsin staff spent 2 years revising this training manual.

**Training and technical assistance.** The Bureau of Prisons plans to open five training centers for Federal, State, and local correctional personnel. The first of these was opened in March 1971 in El Reno, Okla.

The Bureau provides technical assistance to State and local correctional institutions, largely in collaboration with LEAA which administers and finances the advisory program. During FY 1971, Bureau headquarters personnel and field consultants responded to more than 1,000 requests for technical assistance.

## Community Relations Service

The Community Relations Service (CRS) spent an estimated \$667,000 in manpower and other resources in FY 1971 helping State and local law enforcement agencies: (1) to develop administration of justice and community relations programs; and (2) to achieve conciliation of racial crises.

CRS does not enforce laws, regulate practices, or grant funds for programs. It relies upon its professional staff to persuade and encourage local citizens and institutions to solve their own problems.

**Local councils.** CRS seeks to establish local criminal justice coordinating councils, composed of private business, labor, education, and religious groups, and other interested citizens, to handle specific crime control and law reform projects.

**Minorities.** CRS works with minority groups to help them prepare proposals seeking grants; helps law enforcement agencies recruit minority officers and develop effective training programs in police-community relations; assists minority groups in forming self-help projects; and aids officials in obtaining minority representation on regional, State, and local planning agencies.

**Conflict resolution.** In helping to resolve racial conflicts, CRS works with a cross section of local, State, and national leaders and officials to establish positive communications between conflicting parties and develop programs to deal effectively with the problems.

In FY 1971, CRS responded to 671 requests for help to restore racial peace.

## Department of Health, Education, and Welfare

The Department of Health, Education, and Welfare conducts several programs of criminal justice assistance to States and municipalities.

Most of these programs are in the areas of training and research and of planning and action programs to combat juvenile delinquency.

Descriptions of these programs follow.

### Office of Education

The Office of Education (OE) provides funding for the following programs which offer training opportunities to personnel working in criminal justice fields as well as to incarcerated offenders.

**Adult education.** Under a program where State funds are matched dollar-for-dollar, the Bureau of Adult, Vocational, and Technical Education of OE operates the Law Enforcement Training and Police Science Technology Program; vocational training programs for inmates of correctional institutions; training programs for

- \$1,188,000 for some 33,000 inmates.
- Grants to persons working with inmates total \$200,000 (through the University of Hawaii).
- Education completion programs for inmates reach some 32,000 prisoners, utilizing Federal funds of approximately \$2,194,000.

**Educational personnel.** The Bureau of Educational Personnel Development (BEPD) of OE funds the following programs affecting law enforcement and criminal justice:

(1) In FY 1971, BEPD funded three regional centers to develop services for education of neglected and delinquent juveniles in institutions. These centers, working with local agencies, instituted training at 24 institutions in 16 States. Models include community awareness and human development training, and the retraining of staff to use such new treatment approaches as behavior modification, differential treatment, and team treatment.

(2) The Teacher Corps provides teams to juvenile corrections institutions. Under this program, funded \$1,070,000 in FY 1971, universities apply in-service training concepts to educational personnel in correctional education.

**Elementary and secondary education.** The Bureau of Elementary and Secondary Education of OE operates programs under which formula grants are allocated to State educational agencies for programs for institutionalized delinquent children. In FY 1971, \$16,429,824 was allocated for programs serving 44,167 children in 2 State institutions for delinquents.

**Higher education.** The University Community Service Program (UCSP), administered by the Bureau of Higher Education of OE, provides grants to States on a matching basis to strengthen college and university programs designed to solve community problems. Prior to passage of the Omnibus Crime Control and Safe Streets Act of 1968, crime prevention was given a relatively high priority, but since the act provides other funding sources for law enforcement education, many of the UCSP funds have been channeled into other priority areas.

**Libraries.** The Bureau of Libraries and Educational Technology of OE provides support for libraries in State institutions, including correctional institutions.

### Youth Development and Delinquency Prevention Administration

Under the Juvenile Delinquency Prevention and Control Act of 1968, financial assistance for delinquency control is provided to States and cities through the Youth Development and Delinquency Prevention Administration (YDDPA), part of the Social and Rehabilitation Services of HEW.

Assistance under this program is described in the following summary.

delinquency and crime control planning.

Planning grants awarded in FY 1971 totaled \$2,096,767.

Title I of the act also provides planning and development funds for rehabilitation and prevention programs which will later receive operational funds. Five project planning grants, totaling \$78,909, were awarded in FY 1971.

**Rehabilitation programs.** Community-based rehabilitation programs, either residential or nonresidential, can be supported under part B of title I. Services include re-entry programs for youth leaving correctional institutions and probationers. In FY 1971, 18 rehabilitative service grants were funded at a cost of \$634,256.

**Preventive services.** New kinds of preventive services for juveniles (in schools, social bureaus, drop-in houses, half-way houses, probation offices, and vocational training programs) may be funded under part C of title I; 121 preventive grants were awarded in FY 1971, totaling \$6,524,062.

**Training grants.** Title II of the act provides training grants for persons employed in or preparing for employment in the field of delinquency prevention, control, treatment, and rehabilitation. State and local agencies, universities, components of the juvenile justice system, and private nonprofit agencies are eligible to receive grants. Support is also provided for counseling of parents to improve their supervision of youth.

Forty-three training grants, totaling \$2,530,000, were funded in FY 1971, including 36 grants for short-term training, such as conferences, workshops, and seminars.

Curriculum development programs and traineeships were also funded.

**Improved techniques.** Title III of the act provides support for improving techniques and practices in the field of delinquency control, for technical assistance, and for information dissemination.

Nine new grants in this area were awarded in FY 1971, totaling \$1,261,781.

**Technical assistance.** Title III also provides for expert technical assistance to State, local, and other private or nonprofit agencies and organizations. Grants totaling \$778,959 were awarded in FY 1971 to six universities and a nonprofit educational system corporation.

## Office of Child Development

The Office of Child Development (OCD) of OE offers grants to State, local, and private nonprofit agencies for research and demonstration projects concerning youth, some of them focusing on delinquency prevention and control.

In addition to project grants, OCD provides technical

assistance to public and private organizations which offer youth programs.

## Social Security Administration

The Social Security Administration, part of HEW, provides information to other Federal, State, and local law enforcement agencies. The Administration will furnish, on request, information to certain State programs funded by the Federal Government for use in determining entitlement or in enforcing the programs.

## Department of the Treasury

A number of offices of the Department of the Treasury support State and local law enforcement and criminal justice through specialized training, information sharing, and other assistance.

### Training Programs

**Training center.** The Consolidated Federal Law Enforcement Training Center, operated by the Department of the Treasury, provides training to Federal police officers and criminal investigators who carry firearms and have explicit arrest authority. A limited number of State and local agency personnel also have received training here.

**Internal Revenue Service.** During FY 1971, the Intelligence Division of the Internal Revenue Service trained 46 law enforcement personnel (who were sponsored by LEAA) from 24 States, Puerto Rico, and Guam. Training focused on the techniques of financial investigation and the applicable law.

Special agent training is also supplied on request of States, and training materials and advice are also furnished.

The Bureau of Alcohol, Tobacco, and Firearms conducts specialized training schools for State and local law enforcement officers, under LEAA auspices.

On request, the Internal Revenue Service will design internal security training programs for State tax authorities.

**Secret Service.** The United States Secret Service provides, on a limited basis, specialized training to Federal, State, and local law enforcement personnel. Training course topics include questioned documents, protective opera-

## Other Assistance Activities

Any Federal, State, or local police or investigative agency may request assistance in international criminal matters from the International Criminal Police Organization (INTERPOL), through the U.S. representative to INTERPOL in the Department of the Treasury. These requests may be for information, investigation, or apprehension and are relayed by the Treasury representative to the INTERPOL National Bureau in the appropriate country.

In another information sharing effort, the Internal Revenue Service keeps some States informed of criminal proceedings against residents of those States, so the State can determine whether there has been parallel misconduct on State tax returns.

The Bureau of Alcohol, Tobacco, and Firearms assists States and localities in analysis of evidence in its forensic laboratory and provides technical data on firearms and explosives.

## Department of Labor

The Department of Labor provides criminal justice assistance in the form of programs aimed at rehabilitating, training, and employing persons returning to society from correctional institutions.

Descriptions of those programs follow.

### Manpower Administration

The Office of Employment Development Programs (OEDP), part of the Manpower Administration, funds offender rehabilitation programs under the Manpower Development and Training Act (MDTA). Both operational and research and demonstration programs were funded in FY 1971. Funding for operational programs in FY 1971 was \$13.7 million. Research and demonstration programs were funded with \$2,204,000.

During FY 1971, several operational programs were funded under MDTA:

**Prison inmate training program.** The Prison Inmate Training Program, administered jointly by the Manpower Administration and the Office of Education of Employment-oriented training as part of

During FY 1971, the program provided 4,500 inmates in 48 projects.

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Manpower training in correctional institutions is supported by a program of the Department of Labor.

have not yet been tried. If the accused offender responds positively, a recommendation is made to the court for disposition of the case. Most of the funding for this project, which totaled \$3,645,709 in FY 1971, is for professional and paraprofessional staff.

Two pilot projects were funded in New York City and

Washington, D.C., as early as 1967 and 1968. Eight additional projects were funded in the latter half of FY 1971.

**Bonding program.** A nationwide program to bond ex-offenders is operational in 2,200 local employment service offices in all States. Ex-offenders barred from a specific job simply because of inability to secure a commercial bond may receive bonding assistance. This program was funded under MDTA in FY 1971 for \$100,000.

**State comprehensive correctional manpower model.** A pilot program attempts to bring together the services of other agencies, assistance available from the private sector, and all of the offender programs sponsored by the Department of Labor under one "umbrella program." Department of Labor staff review the design the State has developed and indicate which portions it could fund in an operational contract. A technical assistance contractor is available to assist the States in developing their plan.

## Employment Standards Administration

The Bureau of Employees' Compensation, part of the Employment Standards Administration, administers compensation benefits to non-Federal law enforcement officers who are injured, suffer disease, or are killed under circumstances involving a Federal crime.

## Department of Housing and Urban Development

The Department of Housing and Urban Development (HUD) offers a number of law enforcement, juvenile delinquency, and criminal justice assistance programs to States and municipalities.

Some of the HUD programs provide funds and technical assistance while others provide reinsurance for crime or riot losses and training.

Descriptions of these programs follow.

**Model Cities.** The most extensive law enforcement assistance effort carried out by HUD is operated through its Model Cities Program. Crime is among the most serious problems in the impoverished areas which have been selected as Model Cities to receive Federal sup-

port in such areas as planning, community development, education programs; administering such programs; and supplementing existing resources.

HUD also provides technical assistance under the program, both directly and through contracts.

The 147 Model Cities implemented 285 projects related to various aspects of the criminal justice system during FY 1971. Total expenditure for these projects was \$15,760,737—\$27,663,454 from FY 1971 Model Cities supplemented grants; \$13,078,967 from other Federal grant-in-aid funds; \$1,021,187 from non-Federal public sources, such as States, counties, and cities; and \$997,129 from private sources, such as foundations and institutions.

Model Cities criminal justice projects during FY 1971 included: research and development in the administration of justice; public education on law observance, enforcement, and crime prevention; rehabilitation projects for alcoholics and narcotic addicts; juvenile delinquency prevention and control; education and training of State and local law enforcement officers; general police activity projects; criminal law advice and assistance to the poor; State and local corrections; and State and local crime reduction planning.

A clear trend toward increased expenditures of Model Cities funds on criminal justice projects is indicated by the fact that the amount spent on such projects in FY 1971 exceeds the combined total for the 2 previous fiscal years.

In the field of technical assistance, HUD has provided specialists from the International Association of Chiefs of Police and the National Council on Crime and Delinquency to aid cities in planning, developing, and implementing the criminal justice components of their comprehensive city demonstration programs.

The organizations were retained by HUD to provide such assistance under a \$200,000 annual contract. They were used by cities when necessary technical assistance could not be obtained from other law enforcement agencies.

HUD also offers such indirect assistance as publications, training seminars, and conferences.

**Crime loss insurance.** The Federal Insurance Administration of HUD offers reinsurance protection against excessive losses from riots and civil disorders and direct insurance against crime in any State in which the availability of such insurance at affordable rates is a critical problem.

**Juvenile training.** An urban renewal demonstration grant of \$105,975 awarded by HUD to the District of Columbia in FY 1970 (supplemented by an additional \$13,888 from the National Capital Housing Authority) aided juvenile delinquency prevention efforts. Young males, 16 to 22, were trained in management and maintenance skills to improve the physical condition of public housing projects.

## Department of Commerce

The law enforcement and criminal justice assistance pro-



...of areas of law enforcement... assistance to State and local governments.

Congress has prohibited the use of the military to execute criminal laws in the Nation. This prohibition is contained in the Posse Comitatus Act (18 U.S.C. 1385).

Congress has authorized use of the military in certain instances, however, which involve assistance to State and local law enforcement.

In the area of assistance during civil disorders, the



**Federal Highway Administration.** The Bureau of Motor Carrier Safety, within the Federal Highway Administration, is authorized to make agreements with States to enforce both State and Federal highway safety laws. Every State, as well as the District of Columbia, has entered into a cooperative agreement with the Bureau. The Bureau and appropriate State agencies share information, make joint inspections and examinations, hold joint conferences, and act as instructors in each other's training programs.

The Bureau of Motor Carrier Safety spent \$508,000 in FY 1971 for support to States.

The Investigations and Special Inquiry Division of the Federal Highway Administration will render assistance to State agencies in matters of concurrent and related interest.

**National Highway Traffic Safety Administration.** The National Highway Traffic Safety Administration provides direct assistance to State and local police agencies in carrying out their traffic law enforcement functions.

The agency operates programs which provide financial support for police traffic patrols; upgrade police department recordkeeping; establish police training programs; provide police training equipment; fund police

activities of the Department are carefully limited and defined by the Constitution, by Congress, by Presidential order, and by regulations and directives of the Department itself.

When certain conditions exist and the President so orders, the Department is ready to assist State and local authorities to the extent and in the manner necessary to maintain order. General policies of restraint and of minimum use of force are in effect.

The Department also conducts training programs in the area of civil disorders and it carries on other programs assisting State and local law enforcement agencies. It also has special programs to assist the District of Columbia.

Descriptions of those programs follow.

## Civil Disorders

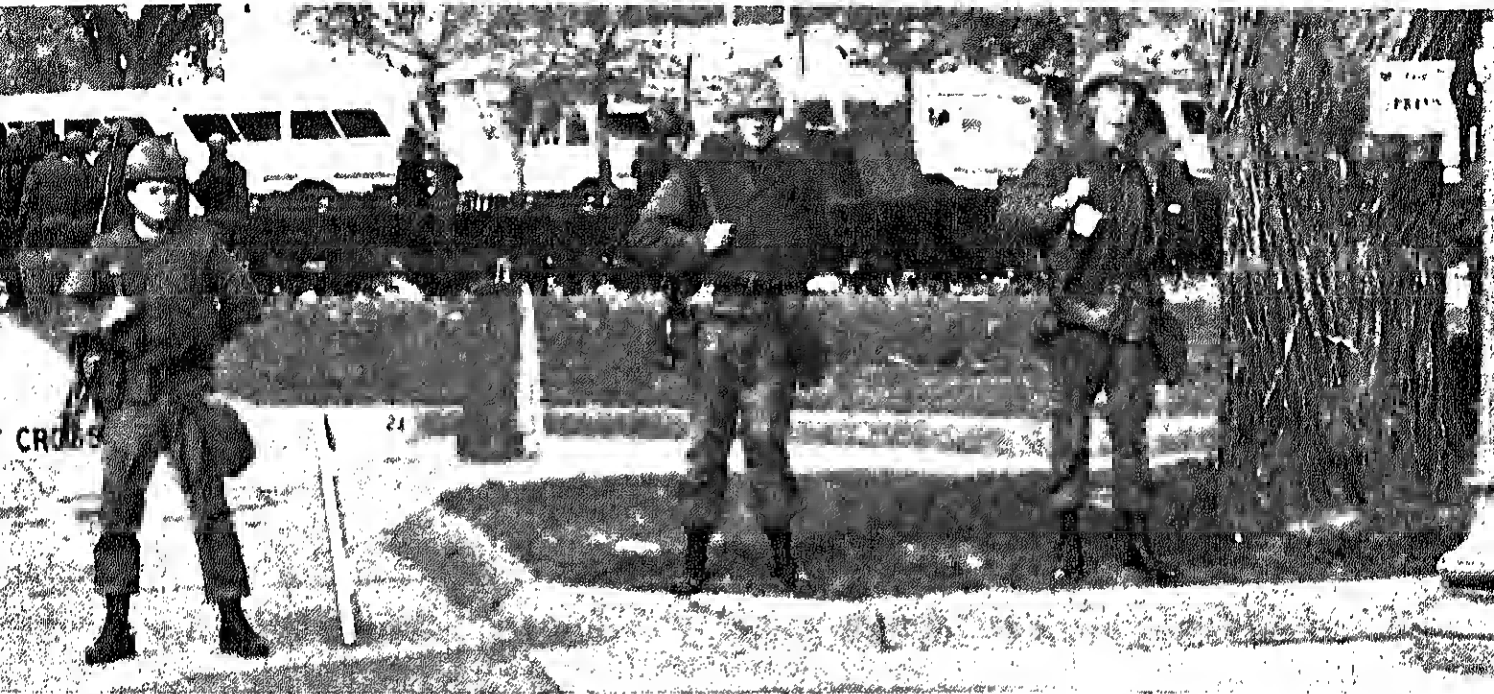
**Troops.** The Department of Defense maintains a readiness and capability to assist State and local law enforcement agencies during periods of civil disorder.

When the requisite conditions exist, normally including a request from the Governor or legislature of the State, the President has authority under law (10 U.S.C. 334) to direct the Secretary of Defense to employ such

bia during antiwar demonstrations in early May 1971.

**Loans of equipment.** The Department of Defense is also authorized to loan certain military equipment to State and local governments under carefully prescribed circumstances. Such loans accomplish a military purpose by reducing the likelihood that Federal troops or National Guard will have to be called on.

Approval of loan requests is based on the nature of the item requested. Requests may range from resources such



as personnel, aircraft, and ammunition to masks, helmets, and armored vests.

During FY 1971, 40 loan requests from 15 municipalities (including National Guard requests) were approved. Fifteen different types of equipment were loaned with a total property value of \$288,698.

**Training.** The Department of Defense also conducts orientation and training programs in civil disorder control which are attended by State and local law enforcement and administrative officers, and safety personnel.

The Civil Disturbance Orientation Course (SEADOC) is conducted by the Army at the Military Police School, Fort Gordon, Ga., on an average of twice a month. The intensive week-long course includes discussions of various phases of civil disturbance causes and control, evaluation of community planning, and review of the roles of various enforcement agencies.

SEADOC was inaugurated in 1968; since May 1971, the civilian participation has been 850 persons a year.

Semiannual seminars and demonstrations on riot control, similar in purpose and procedure to SEADOC, are conducted by the Department of Defense for students of the FBI National Training Academy. Some 3,000 invited military and civilian guests attend the demonstrations along with the FBI students, who are senior officials of civil law enforcement agencies.

During demonstrations in Washington, D.C., in 1971, the Department of Defense deployed Federal troops to aid local law enforcement officials. (Washington Evening Star Photo)

## Ordnance Disposal Assistance

The Department of Defense is authorized by law (31 U.S.C. 686) to provide explosive ordnance disposal assistance when requested by civil authorities.

As with other activities of the Department, however, such assistance is limited by the terms of the Posse Comitatus Act (18 U.S.C. 1385), which prohibits use of the military to execute laws.

Thus, explosive ordnance disposal assistance is purely technical, and does not extend to investigation or any other form of law enforcement.

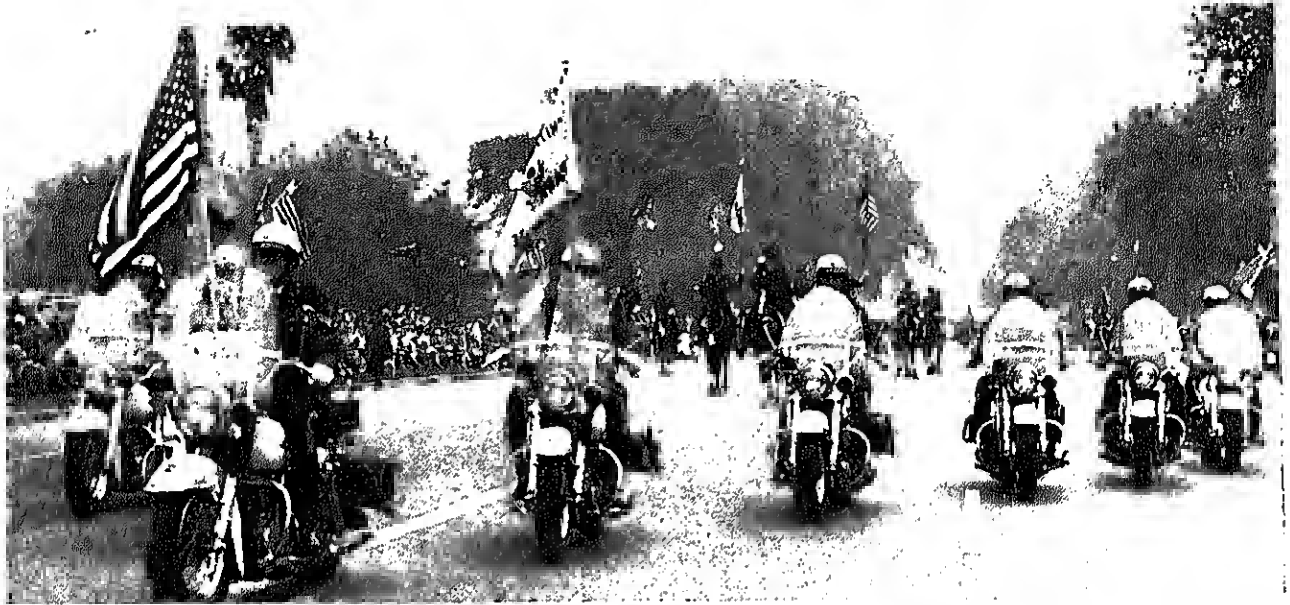
The Army also will provide explosive ordnance support and reconnaissance training to civil defense agencies, law enforcement agencies, and fire departments. It also assists public safety and law enforcement agencies in developing a capability for dealing with improvised explosive devices.

In FY 1971, explosive ordnance disposal teams responded to 4,811 bomb incidents not on Department of Defense installations and received 1,189 requests for bomb scare assistance, of which 350 involved actual home-made bombs.



support, and a recommendation to the Under Secretary of the Army.

Among the six approved requests for assistance from March 1970 to June 1971 were: communications equipment servicing and installation; training of police as helicopter pilots; use of an operational helicopter facility at the Anacostia Naval Air Station; and the loan of helicopters for command, control, and reconnaissance during the May 1971 civil disturbance.



The teams also presented 453 bomb scare management classes to several thousand participants and conducted the Explosive and Sabotage Device Course, a 4-hour course on improvised explosive devices, for additional thousands of public safety officials and civilians.

## Aid to District of Columbia

**Civil disorders.** As the Capital of the Nation, the District of Columbia occupies special status under the law.

The general limitations on use of military force to enforce laws applies to the Department of Defense in regard to the District of Columbia, as in regard to any State.

Under the appropriate laws and directives, however, Federal troops and forces may be employed by the President to protect the employees and buildings of the Federal Government and to maintain law and order in the Capital.

As noted above in this section, troops were so employed once in FY 1971—to assist the District of Columbia Metropolitan Police during the disorders in May 1971.

**Crime reduction.** In March 1970, President Nixon called upon Federal departments and agencies to join the effort to reduce crime in the District of Columbia.

The Department of Defense responded with an offer of technical assistance, in the form of training and expert help, and with equipment.

U.S. Park Police, Department of the Interior, provide continuing support in the District of Columbia.

Costs to the Department of Defense are reimbursable.

Only two requests have not been approved since initiation of the program. Both concerned the purchase of helicopters, and both were subsequently withdrawn by the Metropolitan Police Department—one because of high cost and the other because it was no longer needed.

## ABM Impact Aid

The Department of Defense maintains the Community Impact Assistance Program, which is designed to assist localities which face increased demands for municipal services because of the deployment of large numbers of military personnel within or near their jurisdiction.

This program has been extended to include assistance to local police departments in instances where the costs of effective law enforcement have been increased because of the deployment of military personnel nearby.

Assistance takes the form of financial assistance to the police department. No direct law enforcement assistance is provided.

The Military Construction Authorization Act authorized in FY 1971 such assistance for communities feeling the impact of construction of SAFEGUARD Anti-Ballistics Missile (ABM) sites in Montana and North Dakota.

A total of \$11.8 million was made available for this assistance. Subsequently, construction on the Montana

site was suspended as provided in the Treaty on the Limitation of Anti-Ballistic Missile Systems signed May 26, 1972. No new funds were budgeted for FY 1973, with the intent of using funds remaining from FY 1971 and FY 1972 budgets to finish the North Dakota project and any remaining requirement in Montana.

## Other Departments

The Department of Agriculture, Department of the Interior, and Department of State all have provided law enforcement and criminal justice assistance at the State and local levels, although these programs are relatively small in comparison with total law enforcement activities of those Departments.

## Department of the Interior

The Bureau of Indian Affairs assists criminal justice programs on Indian reservations, including prevention, enforcement, and rehabilitation activities.

The Bureau operates the Indian Police Academy to provide training for Indian enforcement officials and, on a space-available basis, for non-Indian police in nearby areas.

A program to train Indian judges—most of whom do not have law degrees and serve part time—is funded by LEAA and conducted by the Bureau of Indian Affairs.

U.S. game management agents of the Bureau of Sport Fisheries and Wildlife are available at the request of States to teach National Law Enforcement Workshops which provide professional training to State and local wildlife authorities. They also provide assistance to State conservation departments in protecting wildlife.

## Department of Agriculture

The Department of Agriculture has made former Civilian Conservation Corps sites available to the States in which they are located for juvenile corrections and rehabilitation facilities. Operation of some of these facilities is funded by LEAA.

## Department of State

All requests from the 50 States and Puerto Rico for extradition from foreign countries come under the responsibility of the Department of State for review and processing.

## Office of Economic Opportunity

The Office of Economic Opportunity (OEO) operated several programs in FY 1971 aimed directly at aiding States and localities in the reduction or prevention of crime. These programs fall into two broad categories: research and demonstration programs and operational programs.

and two legal services programs.

**NewGate.** OEO has operated Project NewGate, an experimental educational program for inmates in correctional institutions, since 1967. Since that time, six programs have been financed in Colorado, Kentucky, Oregon, Minnesota, New Mexico, and Pennsylvania. Funding for the project in FY 1971 was \$1,167,357.

Most of NewGate's emphasis is on postsecondary education. It attempts to simulate a school atmosphere by encouraging a variety of cultural and social activities. Several months are devoted to preparing a release plan for each NewGate participant.

**Motivational training.** OEO provided funds for a research and demonstration program in prerelease motivational training at the El Reno Federal Reformatory, El Reno, Okla. It was funded with a 1-year grant of \$14,000 in FY 1971.

**Experimental youth programs.** OEO funded 10 experimental programs for disadvantaged inner-city youth. The purpose of these programs is to determine whether participation of youths themselves in planning and conducting programs would have the desired impact, including delinquency prevention.

Recipients of the grants were the Neighborhood House of North Richmond, Calif.; the United Planning Organization in Washington, D.C.; the Community Action Agency of Hillsborough County, Fla.; the National Urban League Street Academies in New York, N.Y.; the School District of Philadelphia, Pa.; and Las Colonias del Valle, San Juan, Tex.

**Pilot police district.** OEO has been funding the Pilot District Project (PDP) since June 1968 as an experimental project aimed at discovering ways to improve police-community relations in ghetto areas and make the police more effective and relevant to the needs of the inner-city community. The PDP is sponsored by the Department of Human Resources of the District of Columbia Government.

**Legal service.** The Office of Legal Services in FY 1971 funded two research and demonstration grants relating to the reduction and prevention of crime.

A grant of \$219,000 was made to the Center for Correctional Justice. The Center runs a project which will operate in the District of Columbia Department of Corrections to attempt to resolve offenders' grievances concerning their treatment within the correctional agency by developing nonjudicial methods of handling complaints.

The second grant was made to the National Juvenile Law Center in St. Louis, Mo. The Center works to insure that the financial resources of the legal services program are used to maximum effectiveness.

## Operational Programs

OEO operational programs include narcotic addict rehabilitation, inmate rehabilitation support, bail assistance, youth services, police-community relations programs, and provision of legal services to the poor.

and 10,000 adults through educational, prevention, and early intervention programs. OEO drug rehabilitation projects are community-based, and encourage the use of community facilities, services, and resources. The programs support a wide range of treatment and supportive services.

OEO Regional Offices funded three drug rehabilitation projects in FY 1971, located in Bridgeport, Conn., Albuquerque, N. Mex., and Laredo, Tex.

OEO also supports a program to establish a national institute to train ex-addicts to work in drug rehabilitation projects. OEO provided \$40,000 for this program in FY 1971.

**Rehabilitation support.** OEO funded several projects in FY 1971 that dealt with various aspects of rehabilitation of persons in the criminal justice system. These projects provided counseling and support for men, women, and youths; provided job training and education; helped obtain fidelity bonding for ex-offenders; and operated half-way house programs.

Recipients of the OEO grants to run such rehabilitation programs were: Congreso de la Raza, Long Beach, Calif.; the Long Beach Council of Churches; the Monterey, Calif., Anti-Poverty Program; the Sacramento, Calif., Area Economic Opportunity Council, Inc.; the United Planning Organization of Washington, D.C.; the Chicago, Ill., Department of Human Resources; the Massachusetts Correctional Institute; the Morrow Association on Correction in New Brunswick, N.J.; Talbert House in Cincinnati, Ohio; and Seattle-King County, Wash.

**Bail and probation projects.** OEO funded two projects in FY 1971 that dealt with bail or probation in criminal proceedings. The first, the San Francisco, Calif., Bail Project, arranged releases for indigent defendants on their own recognizance when they were detained in custody awaiting trial, and referred defendants to legal counsel or other professional services. The second, the Paterson, N.J., Probation Project, was an employment and counseling program that attempted to bring services, counseling, jobs, and community involvement to the lives of late-teenage and adult probationers.

**Youth services.** OEO funded a number of projects in FY 1971 which provided services, including counseling, the development of jobs, recreation and social activities, and training and education, to youths in neighborhoods with high crime rates.

Recipients of OEO grants were the Jefferson County, Ala., Committee for Economic Opportunity; Metro Corps, Inc., located in Lake County, Ind.; the City of Toledo, Ohio; and the Harris County Community Action Association in Houston, Tex.

**Police community relations.** Four operational projects receiving OEO assistance in FY 1971 conducted police-community relations programs.

The recipients of OEO grant money were: the Louisville and Jefferson County Community Action Commission in Louisville, Ky.; the Gladiator Boxing Club in

Winston-Salem, N.C.; and the cities of Cincinnati and Portsmouth, Ohio.

**Legal services.** In FY 1971, the Office of Legal Services funded 265 projects with 934 offices and more than 2,000 lawyers in all 50 States, the District of Columbia, and Puerto Rico. Total funding in FY 1971 was \$62.1 million.

The regular activities of the projects funded include juvenile delinquency or other youthful offender proceedings in which adjudication will not constitute conviction of a crime, representation of prisoners in collateral proceedings, and assistance to complainants in criminal proceedings.

## Indirect Criminal Justice Assistance

OEO is empowered to provide financial assistance to community action agencies and other public or private nonprofit agencies for the planning, conduct, administration, and evaluation of community action programs. Although not specifically directed to combating crime, these programs attempt to alleviate the root causes of crime.

Brief descriptions of some of these programs follow.

**Training and employment.** OEO funded job development, placement, and followup programs and projects to provide employment for poor people, and counsel them after they have been placed in a job. Funding in FY 1971 was \$10,841,000.

(1) Manpower program intake, assessment, and program placement projects were funded to determine current skill levels of individuals and their potential for acquiring additional skills. Participants are placed in pre-vocational or vocational training, jobs, or job placement services. Funding for FY 1971 was \$3,944,000.

(2) OEO supported prevocational training projects to prepare individuals to participate in vocational training projects. Funding in FY 1971 was \$8,247,000.

(3) Opportunities Industrialization Centers, which are manpower training programs that provide a complete range of activities for underemployed and unemployed men and women, were funded by OEO in FY 1971, at \$5,152,000.

(4) Direct employment projects funded by OEO provide work and training programs which focus especially on the chronically unemployed. Funding was \$918,000 in FY 1971.

**Education and youth programs.** OEO provided \$5,375,000 in FY 1971 to fund school age education programs which provide guidance, testing and counseling;

tutorial and remedial education; cultural activities; curriculum and facility development; special education programs; and other programs and services.

Youth development programs funded in FY 1971 dealt with employment, economic development, education, recreation, police-youth relations, cultural enrichment, and various other youth activities. Funding during the year was \$32,005,000.

Adult education projects to teach English as a second language, to offer basic literacy training, and to provide other educational services were funded by OEO in FY 1971 at \$8,363,000.

**Other indirect assistance.** OEO funded emergency assistance programs to provide emergency loans or grants to meet immediate and urgent needs of poor individuals and families. The funding level was \$86,000 in FY 1971.

Recreation programs for the poor were funded in FY 1971 at \$418,000.

Economic development programs to establish and expand businesses and services operated by local individuals and groups were funded by OEO in FY 1971 at \$13,009,000.

## Independent Agencies

Following are descriptions of law enforcement and criminal justice assistance programs of various kinds provided to State and local law enforcement agencies by independent agencies of the Federal Government.

In some cases, the assistance is of an ongoing type, such as training for personnel in a particular field. In other cases, the assistance consisted of a special FY 1971 activity by the Federal agency.

**Civil Aeronautics Board.** The Civil Aeronautics Board offers technical (but not financial) assistance to State and local enforcement authorities in regulating aspects of air transportation within their jurisdictions.

**Federal Communications Commission.** The Federal Communications Commission makes personnel available to advise police representatives on regulatory requirements to aid them in communications-system planning and the preparation of license applications.

**Federal Home Loan Bank Board.** Many of the examinations of savings and loan associations by the Federal Home Loan Bank Board are conducted jointly with State examiners.

tion Coordinating Committees in metropolitan areas. These are independent bodies consisting of Federal, State, and local governmental organizations involved with consumer protection. Police departments are represented on several of the committees. Expenditure for this program in FY 1971 was \$55,000.

In an experimental program, FTC personnel assisted some local police departments by providing the police with lists of local consumer agencies. Desk officers receiving calls from citizens complaining about noncriminal consumer problems are using the lists to refer the callers to the proper agency. This provides a service to the public and relieves the police of lengthy explanations to the callers.

**National Aeronautics and Space Administration.** The Technology Utilization Office of the National Aeronautics and Space Administration (NASA) will provide assistance to Federal, State, and local law enforcement agencies when problems are discovered where NASA technology might be useful.

Some examples of FY 1971 assistance are the development of a miniaturized television camera for police use, a method of rapidly analyzing the morphine content of urine, and methods of identifying evidence such as paint chips and glass shards.

**Securities and Exchange Commission.** The Securities and Exchange Commission annually conducts a week-long enforcement training program to alert participants to activities which may violate Federal securities laws. Representatives from 25 States and a number of foreign countries, including securities commissions of the various Provinces of Canada, attended the conference held during FY 1970.

The Commission also regularly conducts informal enforcement conferences which are attended by representatives of State securities commissions.

In addition, the Commission's staff gives orientation lectures to State and local law enforcement personnel, and staff members have addressed several conferences for trainees in the organized crime area.

The SEC also publishes quarterly a *Securities Violations Bulletin* that indexes the names of individuals implicated in any public action related to securities violations on the Federal, State, or local level.

**U.S. Civil Service Commission.** The Washington Area Office of the United States Civil Service Commission provides continuing assistance to the District of Columbia Metropolitan Police Department through recruitment drives to maintain staffing levels.

**Veterans Administration.** The Veterans Administration (VA) aids law enforcement agencies in recruiting service veterans. Under programs meeting State and VA standards, VA supplements salaries for police department trainees and other veterans during initial on-the-job training in protective service positions.



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President Nixon has named drug abuse in this country "public enemy number one."

In a vigorous campaign against this Nation's drug problem, the President has initiated unprecedented actions. They include:

The establishment of the Special Action Office for Drug Abuse Prevention to coordinate all facets of the Federal effort in the areas of drug abuse education, treatment, rehabilitation, and prevention;

The implementation of the Comprehensive Drug Abuse Prevention and Control Act through establishment of the Office for Drug Abuse Law Enforcement to improve Federal enforcement capabilities against street level drug law violators;

The recruiting of more than 2,000 new personnel in the Bureau of Narcotics and Dangerous Drugs and in the Bureau of Customs;

The establishment of the Cabinet Committee on International Narcotics Control to fight international drug traffic and smuggling and to eliminate drugs at their source;

The extension of methadone maintenance programs through Federal assistance to State and local treatment programs;

The training of tens of thousands of teachers, students, and community leaders through the National Drug Education Training Program, as prescribed by the Drug Abuse Education Act;

The distribution of millions of pieces of drug education information by the newly created National Clearinghouse for Drug Abuse Information; and

The adoption by the Department of Defense of a new policy of comprehensive education, prevention, identification, treatment, rehabilitation, and enforcement for military personnel.

The initiatives of the President are on a scale never before undertaken in this country. They underscore the seriousness of the drug abuse problem in the United States, and the priority concern for solving it. The consequences of drug abuse are enormous—blighted lives, especially among the young, and an immense amount of violent crime spawned by addicts who claim uncounted numbers of innocent victims.

Drug abuse cuts across all economic and ethnic lines, and it involves all age groups, from high school and college students to the elderly. This epidemic has had great costs, both socially and economically. President Nixon has stated that the costs of drug dependence in the United States come to more than \$2 billion annually. This price tag for drug abuse, however, is vastly exceeded by the human misery created by the drug menace.

This essay surveys the response of the Federal Government to the national drug problem. Brief narratives follow, outlining Federal efforts to stem the increase in drug use. The discussion also covers drug legislation and law enforcement activities, as well as the role of methadone in addiction treatment. A special section on alcoholism is included.

Finally, summaries follow of the Federal departments and agencies with responsibilities in all areas of drug abuse—law enforcement, education and training, rehabilitation, and research.

## Federal Response to Increased Drug Abuse

The great concern over the drug crisis in this country has resulted in increased Federal activity in areas of new legislation; improved law enforcement techniques; accelerated research and information programs; expanded facilities for the addict and the drug abuser; development of centers for training personnel to work in drug abuse prevention and control; and widespread efforts to educate Americans in both the public and private sectors about the multifaceted drug problem. In recent years, the drug problem has been seen to include alcoholism and alcohol abuse.

**Special Action Office for Drug Abuse Prevention.** President Nixon sent to the Congress on July 17, 1971, proposed legislation which called for establishment of the Special Action Office for Drug Abuse Prevention. Until signed into law in March 1972, the Special Action Office functioned under an Executive order.

The establishment of the Special Action Office made possible a more comprehensive, coordinated effort at the Federal level. The Special Action Office is responsible for diverse Federal programs in drug abuse prevention, education, treatment, rehabilitation, training, and research, which are spread throughout more than 20 departments, agencies, and offices.

**Legislation.** The major legislative accomplishments of FY 1971 were the Comprehensive Drug Abuse Prevention and Control Act; the Drug Abuse Education Act; and the Comprehensive Alcoholism and Alcohol Abuse Prevention, Treatment, and Rehabilitation Act.

The Comprehensive Drug Abuse Prevention and Control Act provided for the treatment and rehabilitation of drug addicts and drug-dependent persons. It also strengthened the capabilities of the law enforcement agencies.

The Drug Abuse Education Act provided for the development of drug abuse materials and curricula, and set up

a program of community education projects to reach all members of the community with information on drug abuse.

The Comprehensive Alcoholism and Alcohol Abuse Prevention, Treatment, and Rehabilitation Act established both the National Institute on Alcohol Abuse and Alcoholism and the National Advisory Council on Alcohol Abuse and Alcoholism. The act also expanded greatly the Federal, State, and local capabilities for early detection and treatment of the disease of alcoholism and rehabilitation of alcoholics.

**Law enforcement.** In the enforcement of laws regarding narcotics and dangerous drugs, FY 1971 witnessed a substantial increase in activities by such Federal agencies as the Bureau of Narcotics and Dangerous Drugs (BNDD), the Bureau of Customs, the Postal Inspection Service, the Law Enforcement Assistance Administration (LEAA), and other agencies charged with the prevention and control of drug abuse.

The acceleration of Federal activities included funding of special local law enforcement projects by LEAA; training of local enforcement personnel in new methods; coordination of Federal, State, and local law enforcement efforts such as the Metropolitan Enforcement Groups involving BNDD, LEAA, and local law enforcement agencies; and the development of new drug detection techniques and devices, such as the use of dogs and X-ray machines to discover contraband.

The highlight of recent Federal law enforcement efforts against drug law violators was the creation of the Office

of Drug Abuse Law Enforcement (ODALE) in January 1971. ODALE was established to coordinate Federal re-

authorities granted by the Organized Crime Control Act of 1970—for a high-powered effort to control

the sale and distribution of narcotics by professional

service narcotics traffickers and to conduct intensive tax investi-

gations against high-level and upper-echelon narcotics traffickers and financiers. The program is directed at those key people who frequently insulate themselves from actual drug dealing, and against whom, therefore, it is often difficult to develop a substantive narcotics case. This program utilizes both the criminal tax laws in an effort to imprison violators, and the civil tax laws to assess taxes and penalties, in order to take the profit out of the drug traffic.

**Research and information programs.** Increased Federal research and information programs during the fiscal year included the creation of the National Commission on Marijuana and Drug Abuse; the first annual report to

this area have been the expansion of programs initiated under the Narcotic Addict Rehabilitation Act of 1966 and the increase in Federal aid to community mental health centers for the treatment of narcotic addicts and drug abusers.

A comparison of federally funded drug treatment programs existing at the end of FY 1971 and FY 1972 illustrates clearly the response of the Federal Government to increased drug abuse:

### Federally Funded Drug Treatment Programs

	June 30, 1971	June 30, 1972
National Institute of Mental Health	24	105
Law Enforcement Assistance Administration	22	19
Veterans Administration	5	36
Office of Economic Opportunity	19	47
Department of Defense	9	35
Bureau of Prisons	5	11
Department of Housing and Urban Development	52	68
Total	135	321

**Training and education.** The major drug abuse training and education programs have been initiated by the National Institute of Mental Health (NIMH) and by the Drug Education Program within the Office of Education.

NIMH activities have included programs for training professionals and paraprofessionals to work in the treatment of narcotic addicts and drug abusers. An educational service has been rendered by the establishment of the National Clearinghouse for Drug Abuse Information, whose purpose is to distribute printed, filmed, and audio-taped materials concerning drug abuse.

The Office of Education, operating with funds authorized by the Drug Abuse Education Act, began the National Drug Education Training Program in FY 1971. The objective of the project was to train members of communities and educational systems in drug abuse prevention and control. Its success led to the creation of the "Help Communities Help Themselves" program of FY 1972.

**Rise in Federal expenditures.** Federal budget requests, estimated obligations, and appropriations reflect significant increases in all areas of drug abuse control.

In FY 1969, approximately \$28 million was appropriated for treatment and rehabilitation of drug addicts, \$15.5 million for research, and \$2 million for education and training. By FY 1972, these figures rose to \$189.6 million, \$56.1 million, and \$64.4 million, respectively. With an additional \$164.4 million appropriated for law enforcement, the FY 1972 total for Federal drug abuse control efforts reached \$474.5 million—a 700-percent increase over FY 1969.

Estimated obligations for FY 1973 rise even more dramatically. Counting President Nixon's supplemental request of July 27, 1972, approximately \$313 million will



# Comprehensive Drug Abuse Prevention and Control Act of 1970

The enactment of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513) represented a major turning point in Federal narcotics and dangerous drug legislation. Formerly, drug laws were either tax statutes enforced by the Department of the Treasury or else part of food, drug, and cosmetic statutes enforced by the Food and Drug Administration.

The President signed the bill into law on October 27, 1970. Some portions of the law took effect immediately, while other portions, notably the penal provisions, became effective on May 1, 1971.

The act authorizes increased research into, and prevention of, drug abuse and drug dependence. Moreover, it provides for treatment and rehabilitation of drug abusers and drug-dependent persons. It also strengthens existing law enforcement authority in the field of drug abuse.

Under title I of the act, the Department of Health, Education, and Welfare (HEW) is authorized to increase its programs of rehabilitation, treatment, and prevention of drug abuse. Title I amends the Community Mental Health Centers Act to extend the narcotic addict rehabilitation program through FY 1973. Community facilities, drug education projects, and special projects also receive additional funding under title I of the act.

The act provides that the direct patient care authority of HEW be expanded to include drug-dependent persons as well as narcotic addicts. The Secretary of HEW, after consultation with the Attorney General and professional organizations, is also authorized to report to the Congress on appropriate and legal methods of professional practice in the medical treatment of narcotic addicts.

**Controlled substances.** Title II (the Controlled Substances Act) includes new provisions for control of dangerous substances and enforcement of drug laws.

Authority for control of dangerous substances is placed in the hands of the Attorney General. Five schedules of controlled substances are established; the Attorney General is empowered to add, remove, or transfer substances to, from, or between categories. The Attorney General is required, however, to seek, and be bound by, the medical advice of the Secretary of HEW before adding or removing a substance from control.

The terms "narcotics," "marijuana," and "dangerous drugs" have been subsumed under the general term "controlled substance," which refers to any drug or substance or "immediate precursor" included in any of the five schedules listed in title II of the act.

The act authorizes the Attorney General to adopt rules to regulate and control the manufacture, distribution, and dispensing of controlled substances. He is also authorized to set production quotas.

Under title II, the entire penalty structure for narcotic abuse is revised. One important element of this revision eliminates all mandatory minimum sentences except for professional criminals. A minimum sentence for a professional trafficker is set at 10 years with a maximum fine

of \$100,000; a second conviction would result in a 20-year sentence, with a maximum fine of \$200,000.

The act provides that the possession of a controlled substance for one's own use by a first offender shall be a misdemeanor. It specifies the same penalty for anyone distributing a small amount of marijuana without payment. Also authorized are search warrants containing a "no knock" provision in cases where evidence would otherwise be destroyed or the lives of persons endangered.

Title II includes a provision which created the Commission on Marijuana and Drug Abuse. This Commission was asked to report to the Congress within 1 year on marijuana, and within 2 years on the causes of drug abuse.

Title III (the Controlled Substances Import and Export Act), dealing with the importation and exportation of controlled substances, establishes a uniform system of import and export controls of the dangerous substances listed in the act. Title III introduces more stringent supervision and revises the penalty structure for violations of these controls, eliminating mandatory minimum sentences.

The final part of title III repeals previous legislation naming offenses and prescribing penalties for the importation of narcotics, marijuana, and dangerous drugs. It also repeals those provisions of the revenue laws relating to narcotics and marijuana. The only major criminal offense not carried over by the Comprehensive Drug Abuse Prevention and Control Act involved the requirement that narcotic addicts and violators register before crossing the border of the United States.

The repeal of previous legislation has resulted in a broader Federal orientation towards narcotics, marijuana, dangerous drugs, and controlled substances. The repealed laws were grounded on Federal taxing authority; the comprehensive new act is grounded on the Commerce Clause in the Constitution, authorizing Federal regulation of interstate commerce. The new act has made illegal in itself the importation, exportation, sale, or possession of controlled substances, and prohibits the use of the mails or any other communication facility for committing, causing, or facilitating the commission of any act which constitutes a felony under the provisions of this new legislation, thereby making the use of such communication facility a separate offense.

This comprehensive act was used as a basis for the Uniform Controlled Substances Act, drafted for use as a model by the States. By the end of FY 1972, 35 States and three territories (Guam, Puerto Rico, and the Virgin Islands) had adopted the act.

law enforcement and community leaders.

To implement this act, the Congress authorized \$10 million for FY 1970, \$20 million for FY 1971, and \$28 million for FY 1972. These funds were to be evenly distributed to both the drug abuse curriculum project and the community education project.

**Single Convention.** The Single Convention on Narcotic Drugs, ratified by the Senate in 1967, was designed to extend the international obligation to control domestic and foreign trade in narcotics and dangerous drugs. It restricts the production, distribution, and use of narcotic drugs to medical and scientific purposes.

The Convention includes other obligations for participating governments, extends the coverage of international commitments to more drugs (such as marijuana), and provides for new drugs to be added to the controlled lists.

A prominent feature of the Convention is Article 38, which provides that "the Parties shall give special attention to the provision of facilities for the medical treatment, care, and rehabilitation of drug addicts."

**Convention on Psychotropic Substances.** This Convention was adopted at Vienna in February of 1971, and was designed to extend international controls to substances not under the control of the Single Convention on Narcotic Drugs. It is similar to the Single Convention, having four schedules of substances with gradations of obligations for each schedule. When it comes into force after 40 countries have ratified it, the Convention will impose controls on manufacturers, dealers, practitioners, importers, and exporters.

The substances controlled under the Convention are stimulants such as amphetamines, depressants such as barbituates, tranquilizers, and hallucinogens such as LSD and mescaline.

The President has transmitted the Convention to the Senate for its advice and consent. Also, the necessary legislation for its implementation has been transmitted to the Senate and to the House of Representatives.

**Protocol amending the Single Convention.** On March 25, 1972, a conference in Geneva adopted a Protocol which will significantly strengthen the machinery of the Single Convention. It will increase the powers of the International Narcotic Control Board in establishing quotas over drugs produced, in making on-the-spot inspections, and in making remedial recommendations. It would also strengthen extradition provisions relating to narcotic drug violations.

The President has transmitted the Protocol to the Senate for advice and consent.

## Presidential Message to the Congress

On June 17, 1971, the President sent to the Congress a Message proposing omnibus drug control legislation, part of which dealt with dangerous drugs and narcotics law enforcement.

To expedite the prosecution of narcotics cases, the President requested that the Congress pass legislation permitting the Federal Government to use information obtained by foreign police, and also permitting the submission of written chemical analysis in drug cases.

To aid the enforcement of dangerous drugs and narcotics laws, the President requested that the Congress provide \$2 million for research and development of detection equipment and techniques. The Congress was asked to authorize and fund 325 additional positions in the Bureau of Narcotics and Dangerous Drugs.

The President requested supplemental appropriations of \$25.6 million for the Department of the Treasury. About \$7.5 million was requested for intensified investigation of large-scale traffickers; the remaining \$18.1 million was asked for Bureau of Customs investigation and inspection efforts and for the pursuit and apprehension of smugglers.

Finally, the President requested that the Narcotic Addict Rehabilitation Act of 1966 be amended to extend the authority for the use of methadone maintenance programs.

## Enforcement of Drug Laws

The passage of far-reaching drug legislation has enabled Federal law enforcement agencies to intensify their efforts to control the abuse of narcotics and dangerous drugs. These innovative projects have been undertaken by several Federal agencies, each operating within its specialized province.

### Bureau of Narcotics and Dangerous Drugs

The Bureau of Narcotics and Dangerous Drugs (BNDD), part of the Department of Justice, is the primary Federal law enforcement agency concerned with control of drug traffic and prevention of drug abuse.

The Bureau investigates major domestic and international drug traffickers, including organized crime figures, who are increasingly involved in the illicit drug trade. To carry out these enforcement duties, the Bureau maintains a network of 1,334 agents located in 61 cities in 40 States in the United States and in 44 cities in 31 foreign countries.

The Bureau also assists State and local agencies in their enforcement of narcotics and dangerous drug laws.

## Domestic Enforcement Activities

BNDD has identified 10 major systems in the illicit drug traffic affecting the United States. BNDD enforcement efforts concentrate on destroying these organizations.

The approach used to penetrate one of these systems is termed an "Operation." Operations also frequently make use of mobile task forces, which enable the Bureau to send personnel to any area as needed.

The following examples illustrate the use of both Operations and mobile task forces in the penetration of two major drug supply systems.

**Operation Flanker.** Operation Flanker targeted individuals in a drug system operating in the New York area who obtained heroin from European and Canadian sources. These drugs were then distributed to wholesalers in New York who in turn supplied traffickers throughout the Nation.

Operation Flanker involved individuals operating in Hartford, New York, Philadelphia, Baltimore, Detroit, Chicago, and New Orleans. BNDD agents penetrated a number of organized crime syndicates in the course of the operation, including one in Detroit and one in Chicago.

As a result of Operation Flanker, 162 persons were arrested, and 71.5 pounds of heroin and 49.2 pounds of cocaine were seized.

**Operation Beacon.** Operation Beacon targeted individuals involved in the international distribution and manufacture of dangerous drugs. Much of the enforcement activity centered in San Francisco, which is the source of most of the worldwide supply of hallucinogenic drugs. As a result of Operation Beacon, 414 individuals have been arrested, and 21 clandestine drug laboratories have been seized. Charges are pending against an additional 62 defendants.

**Operation Seaboard.** Operation Seaboard employs specialized task forces concentrated on the east coast of the United States. This operation has significantly decreased the heroin supply on the east coast. More than 1,200 defendants have been arrested in the course of this operation.

**Organized crime strike forces.** BNDD agents also participate on Department of Justice strike forces in 17 cities. BNDD has utilized the expertise of strike force attorneys

BNDD tripled its enforcement activities directed towards foreign drug operations during FY 1971. It was determined that these efforts were necessary to intercept drugs before they reach U.S. borders.

**Operation Condor.** A major enforcement effort against this international traffic is Operation Condor. The individuals targeted through this operation are engaged in the manufacture, smuggling, and distribution of cocaine and, to a lesser degree, Asian heroin. Operation Condor is primarily located in South America, but it also operates in Central America, Europe, Southeast Asia, and the East Indies.

As a result of this operation, seven defendants have been arrested and convicted for the illegal importation of approximately 44 pounds of heroin.

**Other activities.** BNDD efforts in foreign countries have resulted in successful investigations of numerous drug traffickers and manufacturers.

One of these cases involved information received by the Paris office that a primary subject was traveling from Brussels, Belgium, to New York, N.Y. The Bureau of Customs arrested the individual upon arrival. Two automobiles were also seized, containing a total of 380 pounds of heroin. Five people in all were arrested through this investigation.

BNDD agents, in another investigation, discovered that automobiles packed with heroin were being driven from France to Spain and then shipped to Mexico and driven into the United States. In one instance BNDD agents in Spain, in cooperation with the Spanish police, traced an automobile to Valencia, Spain, arrested two individuals, and seized 248 pounds of heroin.

## Enforcement Aid

BNDD provides assistance to State and local law enforcement agencies in several ways. Federal, State, and local enforcement groups exchange pertinent information; BNDD agents participate in joint task forces composed of Federal, State, and local agents; direct assistance is provided through monetary aid for purchasing evidence or information; and BNDD agents cooperate with State and local enforcement personnel in surveillance, preliminary investigations, and planning.

**Joint task forces.** Assistance is occasionally provided to State and local agencies through the creation of joint task forces, which are an amalgamation of Bureau, State, and local agents.

One of these joint task forces operates in New York City, and is composed of 48 BNDD agents, 16 State police, and 108 local police. During FY 1971, this joint task force made 328 arrests.

**Metropolitan Enforcement Groups.** The Metropolitan Enforcement Groups (MEGs), a joint effort of BNDD and LEAA, consist of local law enforcement officers and BNDD agents from the local districts. The MEGs are funded through LEAA grants, which in FY 1970 amounted to \$350,000. In FY 1971, this funding reached \$700,000.

and also act as observers. During 1970, LEAA responded to 3,094 requests for assistance by local agencies.

## Law Enforcement Assistance Administration

A number of drug abuse programs at the State and local level are in progress through funds provided by the Law Enforcement Assistance Administration (LEAA). In FY 1971, the need for effective programs in the fight against drug abuse was given high priority by State Planning Agencies receiving LEAA funds.

The Office of Criminal Justice Assistance of LEAA has the major responsibility for monitoring the LEAA funding of drug abuse programs.

It is responsible for the Big Cities Program, which empowers LEAA to award discretionary grants to urban areas in which there is a particularly high incidence of crime. Because drug abuse is a large part of the urban crime problem, a major portion of this program has been allocated to narcotics and dangerous drug activities.

**Enforcement.** Several projects aimed at cutting the flow of narcotics and dangerous drugs have been funded by LEAA, notably the Metropolitan Enforcement Groups (MEG) program, in which local law enforcement officials and BNDD agents collaborate on the investigation and apprehension of narcotics traffickers within their area of operations.

Examples of other enforcement programs include the establishment of a narcotics strike force in Tucson, Ariz., funding of crime squads in four cities in Connecticut, and expansion of the Vice and Narcotics Division in Portland, Oreg.

**Research.** During FY 1971, the National Institute for Law Enforcement and Criminal Justice, the research arm of LEAA, continued to support activities aimed at narcotics and dangerous drugs control by providing funds for research and development projects in law enforce-

ment. The National Institute is using the Federal Bureau of Investigation Laboratory to test evidence both heroin and

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order on January 28, 1971, the Attorney General announced that the Department of Justice will utilize a variety of resources against street-level drug activity. The new Crime Control Act

to obtain new evidence will be pooled with other law enforcement

In addition to this information-gathering operation, the Office will enlist the support of the Department of Justice, the Department of the Treasury, and the United States Postal Service to aid State and local agencies in the detection, arrest, and prosecution of persons engaged in the narcotics trade.

Nine regional offices were established for the DALE program, which developed operations initially in 33 major cities.

In its first 6 months, DALE made more than 1,000 arrests and identified 3,000 pushers. DALE also operates the HEROIN HOTLINE—(800) 368-5363—whereby citizens may report information regarding alleged narcotics law violators in strict confidence.

## Narcotic and Dangerous Drug Section

The Narcotic and Dangerous Drug Section of the Criminal Division, Department of Justice, supervises Federal prosecutions for violations of laws regarding narcotics, marijuana, dangerous drugs, and controlled substances. These prosecutions are handled by U.S. attorneys in 91 judicial districts.

In FY 1971, 5,074 cases involving 8,007 defendants were filed, a 42.8-percent increase in cases. Terminations of cases increased 26.2 percent, to 4,474, involving 6,941 defendants. Cases involving narcotics, dangerous drugs, or controlled substances account for an estimated 12 to 13 percent of all criminal cases and 15 to 17 percent of all criminal appellate filings.

In its policymaking function, the Section advises U.S. attorneys on interpretation of drug-related laws. For example, the Comprehensive Drug Abuse Prevention and Control Act of 1970, which became fully effective on May 1, 1971, represented an entirely new and much broader base of authority for all narcotics laws. Formerly, narcotics laws were grounded on Federal taxing authority; the ground for the new law is the Commerce Clause in the Constitution.

The Section prepared a manual describing the changes in the law and establishing Federal policy for interpreting and enforcing the new law. The manual, containing an appendix with suggested forms of indictments, was distributed in April 1971 to all U.S. attorneys and other public officials concerned with implementing the new law.

Any Federal agency may call upon the Section for advice on interpreting drug-related laws.

In addition to supervising pretrial and post-trial aspects of drug-related cases, the Section acts in an advisory ca-



Bureau of Customs security officer makes routine search of luggage at airport.

capacity to the Office of the Solicitor General concerning appeals of such cases.

The Section is responsible for supervising any litigation involving addicts committed or petitioning for treatment under the Narcotic Addict Rehabilitation Act (NARA) of 1966. In FY 1971, under title I of NARA, the Section examined 124 addicts charged with Federal offenses and requesting treatment on a deferred prosecution basis. Examinations were also conducted under title II, which provides for treatment of addicts convicted of a Federal offense. Petitions for voluntary civil commitment under title III increased from 2,262 in FY 1970 to 3,026 in FY 1971.

The Section has authority over some civil matters as well; for instance, if a regulatory ruling of the Bureau of Narcotics and Dangerous Drugs (BNDD) were challenged, the Section would represent BNDD on appeal. The Section has the discretionary authority of the Attorney General in matters of judicial forfeiture of property used in connection with violation of law relating to narcotics, marijuana, controlled substances, liquor, wagering, counterfeiting, and firearms.

Though the Section has no investigative authority, it works closely with investigative agencies and U.S. at-

torneys with U.S. attorneys and investigative agencies such as BNDD and the Bureau of Customs in investigating, indicting, and prosecuting complex, large-scale conspiracy cases. On the basis of the pilot project, the Section plans to open one or two more branch offices in FY 1973. The Section also cooperates with the BNDD-funded Joint Task Force in New York City, which includes attorneys from the Section.

During FY 1971, the Section was involved in such cases as the apprehension in San Francisco of smugglers attempting to import more than 5 tons of marijuana; the arrest of 125 middle-level narcotics dealers in New York City; and the seizure of 90 pounds of heroin and the arrest of members of a smuggling ring in western Texas.

## Bureau of Customs

The Bureau of Customs initiated an intensified enforcement program in late FY 1970, geared toward increased antidrug and narcotic law enforcement. This program utilized "blitz" tactics by mobile forces and 100 percent examinations and detailed searches by agents of carriers, cargo, and persons arriving from abroad. The enforcement effort, lasting about 3 months, resulted in 1,316 narcotic and dangerous drug seizures.

**X-ray package inspection apparatus.** Two X-ray machines were designed to Bureau of Customs specifications and were delivered in early 1971. These machines were developed for the inspection of postal packages. One unit was installed at the Chicago mail division, and the other at the Oakland mail division. Though these machines are still considered experimental, they have been extremely helpful in the detection of heroin and other forms of contraband.

**Narcotic test kits.** The intensified enforcement activities of the Bureau of Customs necessitated the development of materials for on-the-spot testing of suspected contraband. A kit containing such materials was produced by Customs in cooperation with a commercial firm. This kit has been made available to all Customs field officers concerned with the interception of illegal drug importations. Tests made with the kit do not substitute for laboratory analysis, but they provide the officer with evidence of "probable cause" to hold the suspect.

**Enforcement activity in mail divisions.** The Bureau of Customs established new enforcement units in the mail divisions of New York, San Francisco, and Los Angeles. During 1970, 3,731 detections were made by the mail divisions, a substantial increase over the previous year.

**Detector dogs.** In FY 1971, the Bureau of Customs began a large-scale program using trained dogs to detect smuggled marijuana and hashish in mail packages, in cargo at docks, and in vehicles crossing the Mexican border. From September 1970 to June 1971, the dogs and their handlers accomplished 564 narcotic finds, including 331 pounds of hashish, 13 pounds of opium, 200 grams of heroin, 7,142 pounds of marijuana, 3,527 marijuana cigarettes, and numerous marijuana sweepings and seeds.

Sealed letter mail examinations. Amended Federal regulations enabled the Bureau of Customs to exercise its authority to examine sealed letter mail from abroad for narcotics and other contraband. "Sealed letter mail" is a technical term which includes not only letters, but certain packages weighing up to 4 pounds.

## United States Postal Service

The Postal Inspection Service, as the law enforcement arm of the U.S. Postal Service, has the primary enforcement responsibility in cases involving the illegal use of the mails in the trafficking of narcotics and dangerous drugs. These investigations are often conducted in cooperation with the Bureau of Narcotics and Dangerous Drugs, the Bureau of Customs, and local law enforcement agencies. With the enactment of the Comprehensive Drug Abuse Prevention and Control Act of 1970, the Postal Inspection Service has expanded its efforts to meet the added responsibilities provided for it in title III, section 403(b) of this act. In FY 1971, Postal Inspectors completed 3,848 investigations in postal-related narcotics and drug cases.

Additionally, the Postal Inspection Service in compliance with the Executive order which created the Drug Abuse Law Enforcement Office, has assigned Postal Inspectors in 16 cities to participate with the special teams in postal-related violations committed by narcotics traffickers.

## Internal Revenue Service

A unique effort against narcotics traffickers has been mounted by the Department of the Treasury through use of enforcement of tax laws against persons deriving unreported income from such illegal sources.

This effort has been undertaken by the Special Enforcement Program of the Intelligence Division, Internal Revenue Service (IRS), part of the Department of the Treasury.

The purpose of the program, developed in the latter part of FY 1971, is to prosecute middle- and upper-level narcotics traffickers and their financiers for criminal tax violations, and to reduce the profits of the narcotics traffic by assessing and collecting taxes on the income derived from this illegal trade.

At the end of FY 1972, IRS reported that its 469 agents had targeted 793 major traffickers, obtained tax assessments of more than \$54 million (and actual seizures of

Nixon of the Cabinet Committee on Narcotics Control in September 1971. This Committee headed by the Secretary of State and includes the Secretary of the Treasury, Secretary of Defense, Secretary of Agriculture, the Attorney General, the U.S. Ambassador to the United Nations, and the Director of the Central Intelligence Agency. The Committee is responsible for developing and coordinating Federal policy related to the control of drug traffic into this country.

In March 1972, the Single Convention on Narcotic Drugs of 1961 was amended. The amendments authorized the International Narcotics Control Board to request permission to make visits to countries if deemed desirable. The amendments also call upon countries to include narcotics offenses in the list of extraditable offenses in their extradition treaties.

Within the framework of the Cabinet Committee, the Central Intelligence Agency provides foreign intelligence support to U.S. law enforcement efforts against international narcotics networks involved in the production and smuggling of narcotics into the United States. Foreign intelligence support is also provided to U.S. diplomatic and foreign policy efforts intended to encourage other countries to institute or improve local narcotics control measures.

**Success of Cabinet Committee work.** The international aspects of the Administration's antidrug program are directed by the Cabinet Committee on International Narcotics Control. The Committee oversees all law enforcement as well as the gathering of intelligence on illicit opium production and trafficking. In addition, the Committee directs antinarcotics diplomacy.

An important Cabinet Committee project has been the formulation of "Narcotics Control Action Plans" for the 59 nations which either produce hard narcotics or whose borders are used as smuggling routes. These programs are now being implemented in cooperation with the governments involved. Fifty million dollars is being expended to support this effort.

Cabinet Committee initiatives have resulted in impressive achievements in foreign drug law enforcement.

In the Near East, Turkey, the major source of heroin reaching this country, has agreed to ban cultivation of opium poppies.

In Europe, the French seized three heroin refining laboratories within 1 week in July 1972, making a total of five French heroin refineries uncovered this year.

European heroin seizures by mid-1972 topped the amount taken during all of 1971. The 1971 European seizures already had increased 300 percent over those of 1970.

In Southeast Asia, the Royal Government of Thailand burned 26 tons of crude opium—equal to 2.6 tons of

heroin—turned in by the Chinese Irregular Forces. The Thais have also seized 850 pounds of heroin since October 1971. Other seizures were 493 pounds of morphine base and 60,394 pounds of crude opium.

Since April 1972, the Thais have destroyed one heroin laboratory and seized drugs with a U.S. street value of \$347,455,448.

In Vietnam, heroin became widely available to U.S. servicemen early in 1971. When U.S. Ambassador to Vietnam Ellsworth Bunker and General Creighton Abrams voiced this Government's deep concern to President Thieu, the Vietnamese President replaced the chief of the narcotics bureau of the National Police Force, expanded the bureau from 26 to 52 agents, and tightened customs inspection (with U.S. cooperation) at the Tan Son Nhut airport and at all ports.

Since January 1971, Vietnam has seized 783 pounds of heroin, 40 pounds of opium, 7,828 pounds of marijuana, and large quantities of dangerous drugs. The total number of arrests was 2,785.

In Latin America, with U.S. advice and assistance, Latin American nations have begun to upgrade their narcotics law enforcement effort.

A key project is Operation Cooperation, the joint effort of the United States and Mexico to halt the drug traffic between the two countries.

In its efforts to eradicate opium poppies and marijuana, the Mexican Government is using \$1 million worth of U.S.-supplied helicopters and light planes to locate illegal cultivation. The Mexican Army has been used to destroy the illegal crops and apprehend illegal growers.

The Bureau of Narcotics and Dangerous Drugs and other U.S. enforcement agency personnel are stationed in Mexico to work with Mexican authorities in the exchange of intelligence and in operations directed towards halting the drug traffic.

## **Drug Education**

During FY 1971, there was a significant expansion of Federal programs aimed at both educating Americans to the dangers of drug abuse and training personnel to deal with drug problems in local communities. A number of Government agencies concerned with these programs have instituted projects based on their own particular orientations and objectives.

### **Office of Education**

The involvement of the Office of Education (OE) in drug education began in 1969 with the funding of Aware-

ness House, a program of drug education. Confident of the effectiveness of preservice and in-service training after the success of Awareness House, OE spent \$4.2 million to organize the National Drug Education Training Program (NDETP). The role of NDETP was to train teachers, school administrators, parents, law enforcement officials, and other community representatives to deal with drug abuse problems in their own communities.

The National Action Committee to Combat Drug Abuse, composed of doctors, lawyers, scientists, and other persons knowledgeable in the drug field, coordinated NDETP during the early stages of the program. It is currently under the auspices of the OE Drug Education Program.

By September 1971, 55 States and territories reported that more than 400,000 persons had been trained and were qualified to train others in their home communities.

**Recent funding.** Impetus was given to drug education with the passage of the Drug Abuse Education Act of 1970 (P.L. 91-527), which authorized \$58 million to be spent over a 3-year period for drug education. In FY 1971, \$6 million was appropriated for OE to carry on its programs; in FY 1972, \$13 million was appropriated for these purposes.

By the end of calendar year 1971, 1 year after the passage of the act, OE funds were being spent for drug education projects in 28 communities, 19 colleges, and 55 State and territorial departments of education.

In FY 1972, OE used part of its funds from the Drug Abuse Education Act to develop the "Help Communities Help Themselves" program. OE awarded approximately 800 small grants to train teams at eight regional centers across the country. The plan was to give these teams intensive training for 2 weeks. These trained persons would then return to their communities to organize drug education programs and train others.

## **Youth Development and Delinquency Prevention Administration**

In its efforts to prevent delinquent behavior among young persons, the Youth Development and Delinquency Prevention Administration (YDDPA) has included drug abuse education as a major aspect in 15 local projects in FY 1971. While few YDDPA programs are devoted exclusively to drug abuse, all of those which have a drug component focus on education and public information as a means of prevention.

### **National Institute of Mental Health**

During FY 1971, the Division of Narcotic Addiction and Drug Abuse within the National Institute of Mental Health (NIMH) established three centers to offer training in methods of drug abuse prevention, treatment, and



community, and agency personnel. Three national centers in Connecticut, Oklahoma, and California. A fourth center recently was established in Florida.

In accordance with the provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513), NIMH was authorized to award grants to States and public or private nonprofit agencies to support drug abuse education, training, technical assistance, and evaluation projects. Thirteen grants totaling \$775,000 were funded under the act.

## Special Action Office for Drug Abuse Prevention

The Special Action Office for Drug Abuse Prevention (SAODAP) is responsible for all major Federal drug abuse activities, including education, prevention, treatment, rehabilitation, and research.

Total congressional appropriations for these programs were \$132 million in FY 1971. SAODAP funding allocations were set at \$70 million for FY 1972.

SAODAP has organized a National Training Center for Drug Abuse Control in Washington, D.C., to reduce the critical shortage of persons trained in drug education, treatment, and rehabilitation. It is expected that 2,400 persons throughout the country will be trained at the Center—the hub of a national system that will train 16,000 persons in FY 1973.

Another SAODAP effort is a collaborative program with the Division of Narcotic Addiction and Drug Abuse of the National Institute of Mental Health to assist medical schools in developing drug and alcohol abuse curricula.

## Law Enforcement Assistance Administration

The Law Enforcement Assistance Administration (LEAA) has played a major role in the Federal effort against drug abuse by funding, through block and discretionary grants, innovative programs throughout the country.

Many States have received LEAA funds for public education and special training for law enforcement officials. Nationwide efforts directed at drug abuse control are also aided by LEAA, such as the junior high school education program administered by the Young Lawyers' Section of the American Bar Association.

LEAA funds have supported drug abuse education programs in public schools in the District of Columbia; Green Bay and Milwaukee, Wis.; Detroit, Mich.; Richmond, Va.; and the States of Texas and New Mexico. The Center of Science and Industry in Columbus, Ohio, received an LEAA grant for a multimedia educational exhibit. A program in Georgia which receives LEAA funds has pooled the resources of the State and Federal agencies to

## Bureau of Narcotics and Dangerous Drugs

The Bureau of Narcotics and Dangerous Drugs (BNDD) has initiated extensive programs of education and training on drug abuse. The training programs are directed toward law enforcement personnel, and educational activities are geared toward the general public.

**State and local training.** The BNDD training effort was spearheaded by the inception of 2-week courses in drug abuse and enforcement techniques, first conducted in Washington, D.C., and then given in local areas across the country. This program reached 3,368 persons in FY 1971.

Regional training seminars, intended to reach more persons than could be trained in the 2-week course, were developed next. These short-term seminars are designed to give the participants basic instruction on drug law enforcement. The seminars were attended by 88,050 persons in FY 1971.

The most recent training program is an intensive 10-week course for drug specialists among enforcement personnel. Begun in fall 1970, the course graduated 70 persons by the end of FY 1971.

Other training efforts include the Forensic Chemist Seminars, conducted at the BNDD National Training Institute, and the publication of a newsletter for forensic science laboratories in the United States and in foreign countries.

**Public education programs.** In addition to training law enforcement personnel, BNDD has been involved in a number of drug abuse prevention programs, including the provision of films, publications, and speakers.

As part of its public inquiry activity, BNDD participates in a cooperative media advertising campaign with other Federal agencies. In addition, BNDD assists the Pharmaceutical Manufacturers Association in preparing films and publications.

Other projects include the establishment of pilot community drug abuse prevention projects in the 13 domestic regions administered by BNDD, and the establishment of contacts with various private organizations that may be helpful in disseminating drug information.

## Department of Defense

prehensive policy of education, prevention, identification, treatment, rehabilitation, and enforcement. This new policy was motivated by the recommendations of a task force including representatives of the Secretary of Defense and all the services.

With the inception of this policy the services launched a program of drug abuse education for all members of the military. Additionally, drug abuse seminars for noninvestigative personnel and military dependents were conducted in West Germany and the Pacific. Classroom programs for dependents were started at the Marine Corps School at Quantico, Va., and at Air Force schools in the Philippines.

The Education Specialist School at the naval base in San Diego prepared selected enlisted men to organize drug education and training programs and to provide counseling for those with drug problems. The Air Force began a seminar for its pilots, using ex-addicts as members of the teams conducting the seminars.

## Department of State

The Department of State advises traveling Americans of the drug laws to which they are subject when visiting foreign countries. This policy was initiated in response to the fourfold increase in the number of Americans detained in foreign countries for violation of local drug laws. By May 1971, 747 Americans were under detention in 50 foreign countries.

In addition to informing Americans of foreign drug laws, the Department also attempts to assist those persons detained for drug violations in obtaining legal counsel.

## National Clearinghouse for Drug Abuse Information

In March 1970, President Nixon announced the establishment of the National Clearinghouse for Drug Abuse Information (NCDAI). A part of the Office of Communication within the National Institute of Mental Health, NCDAI was created in response to the growing need for a focal point for accurate and reliable information on drug abuse.

NCDAI serves as the primary agency for the collection of drug abuse information and distribution to all segments of the population. Since its creation, NCDAI has distributed more than 5 million drug abuse publications.

Other functions include answering inquiries by mail and phone, referring special requests to appropriate

sources publishing major secondary source materials, and operating a comprehensive information storage and retrieval system.

## Marijuana

In an effort to provide an accurate scientific basis for Federal legislation and law enforcement concerning marijuana, the Congress enacted two pieces of legislation.

The first, the Marijuana and Health Reporting Act of 1970 (P.L. 91-296), directs the Secretary of Health, Education, and Welfare to submit annual reports to the Congress on the health consequences of marijuana use. The phrase "health consequences" includes not only the physical and psychological consequences of marijuana use, but also its societal effects.

The second, section 601 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513), established the Commission on Marijuana and Drug Abuse, which was responsible for the submission to the Congress of its findings and recommendations.

## Methadone

The synthetic opiate known as methadone has added new dimensions, some of them controversial, to the treatment of drug addicts. A brief description follows of the drug's properties, its use in treatment, and the controls governing its legal use.

**Characteristics of methadone.** Methadone was developed in Germany during World War II, when other naturally derived painkillers were not available. It is a narcotic drug; its cross-tolerance with other narcotics makes it valuable for rehabilitation of heroin addicts.

At certain dosage levels, which vary in individuals, methadone blocks the euphoric "high" that addicts derive from heroin. At lower levels, methadone does not block heroin's effect, but reduces the addict's hunger for heroin.

Methadone is also used to ease the discomfort of heroin withdrawal.

Rehabilitation with methadone maintenance has a variety of advantages. The drug can be taken orally, so it is easily administered. It is relatively inexpensive and easily available. Users experience no serious side effects—probably methadone's most important characteristic—and thus the user can live a near-normal life and hold a job.



Counselor writes report on patient during his initial interview at methadone maintenance clinic.

**Other views of methadone.** Critics of methadone argue that the drug does not solve the "drug problem." Using methadone merely substitutes one drug for another, it is contended. Further, critics say that use of methadone as a maintenance drug prevents society from delving into the underlying causes of drug abuse.

The Federal position on methadone maintenance, as stated by the Special Action Office for Drug Abuse Prevention, is that methadone maintenance is a useful treatment for certain types of heroin addiction.

At the same time, methadone is not viewed as a panacea. The policy of the Special Action Office has been to encourage other forms of treatment and attempts at innovation, while benefiting from the advantages methadone has over present alternatives available to a large number of addicts.

**Variances in treatment programs.** Methadone maintenance treatment programs vary in their requirements for admittance, their mode of operation, and the extent of ancillary services offered.

Generally, enrollees are 18 years of age or older and have a long history of heroin use with previous attempts and failures at rehabilitation.

After admittance, enrollees are given small doses of methadone daily. These doses are gradually increased, as tolerance permits, until the addict has reached a stabilization point where he no longer feels a compelling desire to use heroin.

The extent of medical, psychological, social, and vocational services available to the addict during rehabilitation also varies. Most programs offer some group or individual therapy as well as some form of vocational rehabilitation, employment counseling, or occupational therapy.

Another variance is in the attitudes toward the addict's dependence on methadone. In some programs, enrollees are encouraged to pursue a goal of drug abstinence, including, eventually, methadone; while in other programs, the individual's ability to hold a job and relate well to his family is emphasized.

**Federal control.** Methadone was first sanctioned in



marketability.

Because of the drug's potential for abuse, it is necessary that prior approval for methadone maintenance programs be obtained from BNDD as well as FDA. BNDD approval is based on the existence of adequate control procedures to prevent diversion of the drug into illicit channels.

Under authority of the Federal Food, Drug, and Cosmetic Act, the FDA, in cooperation with BNDD, suggests regulating protocol for sponsors of programs investigating methadone as a treatment device. The protocol ensures that the drug is administered only under highly controlled conditions of frequency, methods of administration, and dosage levels.

The protocol also suggests guidelines for minimum age requirements of patients and requires adequate record-keeping, urinalyses, and other laboratory tests.

By June 1971, FDA permission had been given to approximately 211 sponsors to use methadone in treatment programs.

The most recent FDA records indicate that about 360 sponsors currently have permission to use methadone in approximately 460 treatment programs. These programs reach approximately 77,500 addicts.

**New guidelines.** In April 1972, FDA announced that it would remove methadone from the IND category and sanction its use as a heroin substitute under new guidelines. These guidelines were developed in cooperation with NIMH, BNDD, and the Special Action Office for Drug Abuse Prevention.

Under the new guidelines, which are expected to be effective by the fall of 1972, methadone will be available for maintenance treatment in all medically justified cases, but only from approved institutions, physicians authorized to prescribe the drug under the aegis of those institutions, and pharmacies authorized to dispense the drug by the approved institutions.

Institutions will be granted approval by FDA in cooperation with NIMH and the Special Action Office.

Extreme precautions are being taken to prevent methadone from reaching the illicit drug market. For this reason, it will not be sold in retail pharmacies except those which are part of approved drug programs, as stipulated above.

**Research.** A longer-acting methadone, acetylmethadol, which lasts up to 3 days as compared with the standard 24-hour effect of regular methadone, is being studied under the direction of the Special Action Office. There are several obvious advantages to a longer-acting methadone. Outpatient addicts would not be restricted to daily visits to the program for their methadone supply. The new drug would also make it more difficult for users to skip doses and try heroin satisfactorily. Finally, a longer-acting drug would undoubtedly reduce costs, because fewer doses would have to be prepared and administered.

## Alcohol

Public drunkenness and other offenses related to the abuse of alcohol constitute some of the more common, time-consuming, and often dangerous offenses for most local police departments in the Nation.

Except in States or municipalities where the care of public drunks has been turned over to other agencies, the police are called upon to remove these individuals from the streets, to process them through arrest and incarceration, and to keep them in custody until their cases are disposed of according to law.

Often that means that the public drunk is soon returned to the streets to enter again the cycle of becoming intoxicated, being arrested and incarcerated, and yet again released.

In certain cases, the abuse of alcohol may be associated with other criminal conduct which threatens the lives or property of other citizens. Thus, the drunk who drives his car or the drunk who becomes embroiled in a fight may be a threat to the community.

The seriousness of alcohol abuse and alcoholism was emphasized in the First Special Report to the Congress on Alcohol and Health from the Secretary of Health, Education, and Welfare (HEW) in December 1971.

The Assistant Secretary for Health and Scientific Affairs noted that "while we are horrified by the abuse of such drugs as hallucinogens, narcotics, and stimulants by our youth, we pay little heed to the most abused drug of them all: alcohol."

The recent Federal legislation on alcohol abuse demonstrates the intention of the Federal Government to supplant the concept of alcoholism as a legal problem with the concept of alcoholism as a health problem.

**Background.** Federal concern with the problem of alcoholism was first reflected in 1966 when the National Center for Prevention and Control of Alcoholism was established within the National Institute of Mental Health to develop and administer Federal support programs in that area.

The Highway Safety Act of 1966 was the first federally enacted law to deal with the problem of alcohol and highway safety. This act provided for a study and report to the Congress on the effects of alcohol on highway safety.

In 1967, three separate commissions found that the criminal law was an ineffective, inhumane, and costly device for the prevention and control of alcoholism and public drunkenness. All recommended that a public health

approach be substituted for current criminal procedures. The commissions were the President's Commission on Law Enforcement and Administration of Justice; the District of Columbia Crime Commission; and the Co-operative Commission on the Study of Alcoholism.

That same year, Congress enacted legislation in this area. One of the provisions of the Economic Opportunity Amendments of 1967 to the Economic Opportunity Act of 1964 was for the support of facilities and services for the prevention and treatment of alcoholism. This provision was reinforced by the Economic Opportunity Amendments of 1969, which set up a program for alcoholic counseling and recovery. The 1969 amendments called for this rehabilitative program to be based within the communities. These amendments emphasized the objective of returning the alcoholic to society rather than institutionalizing him.

**Alcoholic Rehabilitation Act.** The Congress passed the Alcoholic Rehabilitation Act of 1968 (P.L. 90-574). The act declared alcoholism to be a major health and social problem affecting a large percentage of Americans. The act further stated that alcoholism treatment and control programs should be community based, should provide a full range of services under proper medical direction, and should use the integrated services of a variety of public and nongovernmental agencies. Moreover, the act noted that handling alcoholics through the criminal justice system only perpetuates the problem, whereas treating alcoholism as a health problem enables early detection and prophylaxis as well as effective treatment and rehabilitation.

The act authorized Federal aid for the construction and staffing of facilities for the prevention and treatment of alcoholism. The act further directed that Federal funds used in research, prevention, treatment, or rehabilitation in the field of health should be utilized in an effort to lessen alcoholism in the United States.

This act was amended and strengthened by the Community Mental Health Centers Amendments of 1970, which authorized direct grants for projects external to community mental health centers.

**NIAAA.** To strengthen Federal efforts in the area of alcoholism, Congress passed the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.L. 91-616). This act created the National Institute on Alcohol Abuse and Alcoholism (NIAAA) which assumed administration of all alcoholism

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Cups of orange juice with methadone which will be given to patients.



# and Agencies

The following section summarizes the roles of the Federal departments and agencies whose responsibilities include the execution of Federal policies concerning narcotics and dangerous drugs. The previous section took a function-by-function approach; the following section will take an agency-by-agency approach.

## Executive Office of the President

The Special Action Office for Drug Abuse Prevention was created late in FY 1971 by President Nixon to coordinate, strengthen, and develop the basic strategy and priorities for Federal drug abuse prevention efforts. These efforts include prevention, education, treatment, rehabilitation, training, and research.

## Department of Justice

The Bureau of Narcotics and Dangerous Drugs (BNDD) has the primary responsibility for enforcing Federal drug laws and halting illegal traffic in narcotic drugs, marijuana, depressants, stimulants, and hallucinogenic drugs. The Bureau investigates major traffickers, both international and domestic, including organized crime figures.

The Office of Drug Abuse Law Enforcement works with local, State, and Federal investigative teams to stop street-level heroin traffic and to coordinate efforts against higher levels of traffic by other agencies. These teams collect and pool intelligence, prepare lists of witnesses, and present intelligence to Federal grand juries, as well as assisting in State and local intelligence and prosecution efforts.

The Law Enforcement Assistance Administration conducts research and assists State and local agencies in drug law enforcement, drug abuse preventive education, treatment, and rehabilitation. This assistance takes the form of planning grants for statewide comprehensive law enforcement, block action grants to States, and discretionary action grants emphasizing anticrime programs in cities. Examples of some of these projects appear at the end of this essay.

The Narcotic and Dangerous Drug Section of the Criminal Division advises U.S. attorneys and Federal agencies of Federal policy in interpreting drug-related laws, supervises Federal prosecutions for violations of these laws, and assists U.S. attorneys and investigatory agencies in developing such cases. The Section also supervises litigation concerning addicts committed under the Narcotic Addict Rehabilitation Act of 1966 (NARA). The Section advises the Office of the Solicitor General on appeals of drug-related cases.

The Bureau of Prisons provides both institutional and aftercare treatment for addicted offenders under title II of NARA. For the 30 percent of offenders with drug abuse problems who do not qualify under NARA, the Bureau began a drug abuse program in FY 1971 at five institutions.

The United States Marshals Service assists the Federal Aviation Administration in its program to stop air piracy.

In FY 1971, U.S. Marshals made 227 arrests and seized approximately \$1.6 million worth of narcotics. From the beginning of the program in October 1969 through FY 1972, 756 arrests were made for violations of Federal narcotics laws, and narcotics worth \$16.7 million were seized.

The Border Patrol of the Immigration and Naturalization Service guards the borders of the United States against smuggling of illegal drugs and turns evidence and persons involved in such activities over to the Bureau of Customs of the Department of the Treasury for appropriate handling.

## Department of the Treasury

The Bureau of Customs guards ports of entry into the United States against illicit drug traffic, working closely with other Federal agencies such as the Immigration and Naturalization Service, BNDD, the Food and Drug Administration, the Public Health Service, and the Departments of State and Commerce.

A function of the Office of Assistant Secretary (Enforcement and Operation) is to coordinate narcotic law enforcement efforts in the Department, other Federal agencies, governments of other nations, and INTERPOL. The Office of Law Enforcement, under the Assistant Secretary, is responsible for drug law enforcement policies of the Department and maintains liaison with national, local, and foreign enforcement agencies.

The Internal Revenue Service, through the Special Enforcement Program, utilizes the tax laws to prosecute middle- and high-level narcotics traffickers and their financiers for criminal tax law violations.

## Department of Health, Education, and Welfare

The National Institute of Mental Health conducts programs in drug treatment, rehabilitation, research, training, and education through the Division of Narcotic Addiction and Drug Abuse. This division includes the Narcotic Addict Rehabilitation Branch and the research-oriented Center for Studies of Narcotics and Drug Abuse. The National Clearinghouse for Drug Abuse Information in the Office of Communication collects and distributes drug abuse information. The National Institute on Alcohol Abuse and Alcoholism administers all NIEW alcoholism programs.

needs. The Food and Drug Administration (FDA) is charged with ensuring the safety and effectiveness of legal drugs available to the American public. The FDA recommends to the Secretary of HEW which drugs should be controlled under the Comprehensive Drug Abuse Prevention and Control Act of 1970. The Secretary in turn supplies medical recommendations to the Attorney General.

As part of its program to prevent antisocial behavior in youth, the Youth Development and Delinquency Prevention Administration of the Social and Rehabilitation Service funded 15 projects with major drug-related components in both FY 1971 (more than \$1.8 million) and FY 1972 (more than \$1.2 million). Four of these projects in FY 1971 and three in FY 1972 were devoted exclusively to drug abuse education, training, and rehabilitation.

## Department of State

The Department of State addresses international aspects of stemming the international supply of narcotics and dangerous drugs by assisting Americans traveling abroad and informing them of foreign drug laws; by the chairmanship of the Secretary of State of the Cabinet Committee for International Narcotics Control, which coordinates Federal policy on reducing the flow of illegal drugs into the United States; by negotiating bilateral and multilateral agreements with other countries; by encouraging United Nations activity against drug abuse; and by assisting foreign police forces upon request in enforcing narcotics laws.

## Department of Defense

The Department of Defense has instituted massive programs aimed at preventing drug abuse, rehabilitating military drug abusers, and controlling illegal narcotic trafficking by Armed Forces personnel in cooperation with the Bureau of Customs. Responsibility for drug control operations was transferred early in FY 1972 from the Assistant Secretary of Defense (Manpower and Reserve Affairs) to the Deputy Assistant Secretary of Defense (Drug and Alcohol Abuse) under the Assistant Secretary of Defense (Health and Environment).

## Department of Labor

The Manpower Administration of the Department of Labor includes rehabilitated drug addicts and alcoholics in its nationwide training programs. Five experimental and demonstration employment projects were conducted with FY 1971 funds: one by the Vera Institute of Justice in New York City involving ex-addicts; one by the Washington State Employment Service involving former alcoholics; and three by the Job Corps in Washington, D.C.; Jersey City, N.J.; and San Jose, Calif., involving adolescent drug abuse prevention and control. Between Janu-

ary 1971 and January 1972, the Department of Labor is conducting pilot projects to eradicate the hemp weed and the poppy plant, research into alternative crop production, and assistance to foreign agriculturalists. These activities are carried out by the Extension Service, the Agricultural Research Service, and the Foreign Economic Development Service.

## Department of Transportation

The Department of Transportation, through the Federal Aviation Administration (FAA) and the United States Coast Guard, conducts an intensive program of supporting other Federal agencies in intercepting the smuggling of illegal drugs into the country by air and sea. The FAA conducts programs to identify and deal with drug abuse among their transport personnel, particularly pilots and flight instructors, and to prevent smuggling by air of illicit drugs into the United States.

## Department of Housing and Urban Development

The Office of Community Development sponsors projects in Model Cities to treat, rehabilitate, and educate narcotic addicts and alcoholics and to provide drug abuse prevention education in model neighborhoods.

## Office of Economic Opportunity

The Office of Economic Opportunity supports community-based drug treatment and rehabilitation facilities and comprehensive drug abuse programs among the poor. These programs reached approximately 15,000 drug addicts and 65,000 others in FY 1971, with funding totaling \$12.8 million to 20 programs.

## United States Postal Service

The Postal Inspection Service investigates cases involving illegal use of the mails in narcotic and dangerous drug trafficking in cooperation with BNDD and the Bureau of Customs.

## Veterans Administration

The Veterans Administration treats veterans of the Armed Forces for drug problems in a treatment and rehabilitation program that has been greatly expanded since FY 1971, supported by an ongoing research program to improve treatment methods. Treatment encompasses social, psychiatric, and vocational problems.

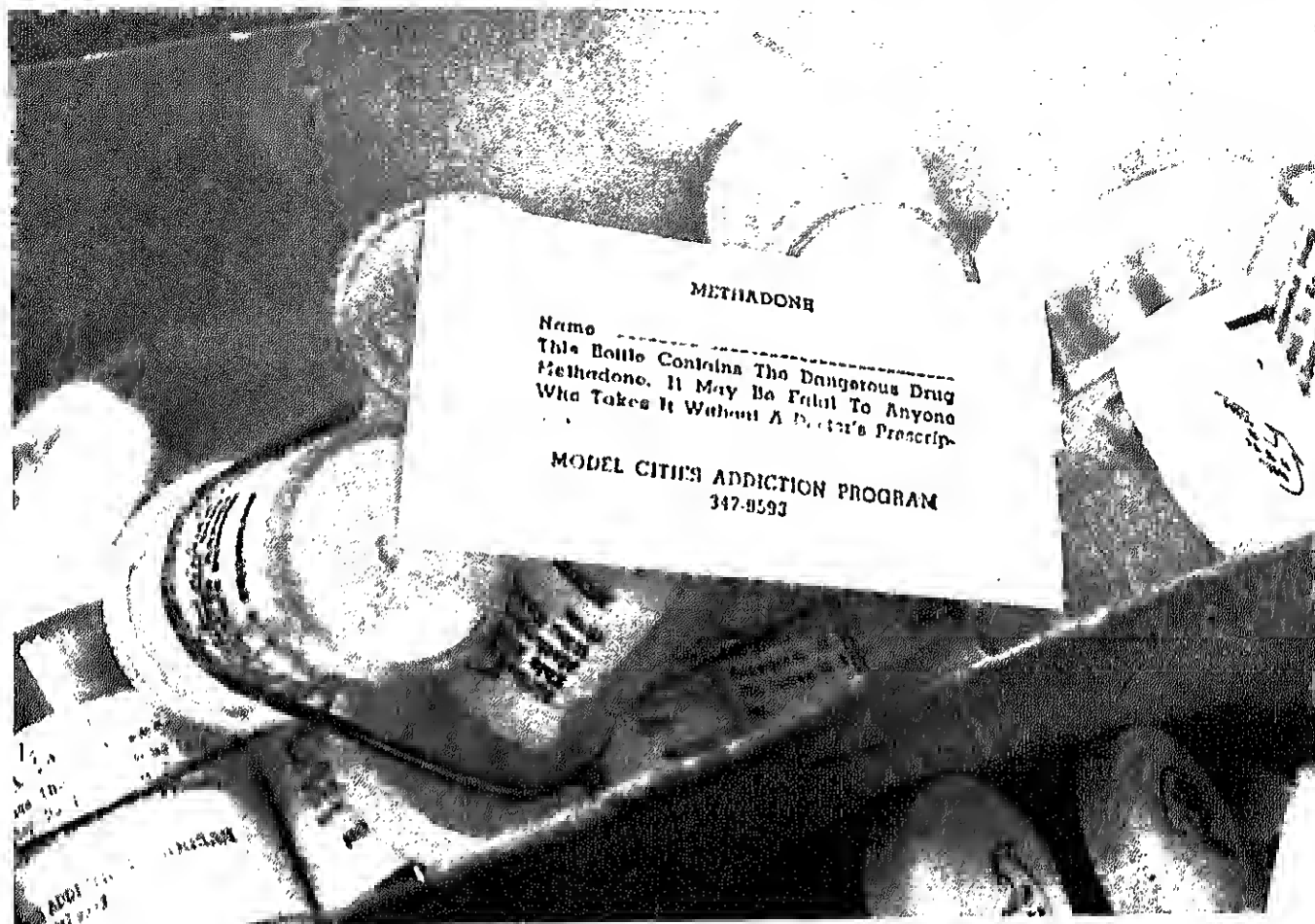
## State Drug Programs

Law enforcement officials in virtually all States recognize that the traffic in drugs and the treatment of drug users



Colorado. This data linked into national treatment programs in Denver and Boulder. In Denver, persons charged with possession are offered the options of "voluntary enrollment" or prosecution, and persons on probation

25 students in each class. The curriculum, based on the principle that a change in behavioral patterns necessitates a change in perception, seeks to change the students' total concept of drugs and drug abuse. Drug abuse, accordingly,



Label on methadone prescription bottle.

or parole are eligible for treatment, which includes weekly group therapy and crisis intervention. Denver has an estimated 1,000 heroin addicts under age 25.

Boulder County has an estimated 150 to 200 heroin addicts. Its treatment program, open to all, enjoys the cooperation of the county, district attorney's office, the courts, social service agencies, clubs, and a mental health center, all giving employment and therapeutic assistance.

School District No. 12 in Adams County sponsored a "Can Do" program emphasizing drug abuse prevention by educating pupils from kindergarten through the 12th grade in drug classification, medical use of drugs, legal and illegal drugs, drug sources, and community treatment facilities.

District of Columbia. The Narcotics Treatment Administration of the D.C. Department of Human Resources

is taught as one of the many forms of escape behavior, which also include alcoholism, oversleeping, overeating and suicide. The curriculum is divided into four units: human need, perception, self-concept, and human escape.

Kansas. A program to eradicate marijuana, believed to be the first of its kind in the United States, was undertaken in Kansas, substantially funded by LEAA.

The Marijuana Control and Eradication Project, conducted in Riley County, is designed to develop cultural, biological, and other methods to control the growth of marijuana. Preliminary reports indicate that eradication is feasible. In FY 1971, more than 9,300 pounds of marijuana, valued at \$4 million, were confiscated.

Michigan. Drug treatment programs in Michigan's major urban areas were granted funds totaling \$1,505,377 in FY 1971 to aid addicts and initiate public education programs to discourage drug abuse.

...to help young people, and to make treatment available for narcotics and dangerous drug users, was implemented with a \$160,424 grant to create an Office of Drug Abuse in the executive office of the Governor as a statewide information center.

A State drug treatment facility in the metropolitan Detroit area is using \$195,900 in LEAA funds to treat narcotic and dangerous drug users who voluntarily seek help.

**Mississippi.** Major cities reported startling increases in drug abuse, and authorities linked an upsurge in street crime to drug usage. Special narcotics investigative units, budgeted by LEAA funds, were established in 10 of the State's larger municipal police departments. In less than 6 months, these units reported more than 400 narcotics cases to the Bureau of Narcotics and Dangerous Drugs in Jackson and made 345 drug-related arrests.

The State Planning Agency made funds available for specialized police training programs in drug-case preparation and preventive aspects of narcotics control.

A grant of \$116,500 aided the establishment of a new State Bureau of Drug Enforcement.

**Missouri.** The Missouri program of drug education, treatment, and rehabilitation aims to educate the public on the nature and extent of drug and narcotics abuse, inform the public of the availability of treatment resources for drug users, and create treatment and rehabilitation facilities for drug users.

In pursuit of those goals, a community-based residential house with a capacity for treating and rehabilitating 30 narcotic-dependent persons was established in Kansas City. A drug information center and a drug-crisis intervention center were set up in St. Louis.

As part of the program, a treatment center for juvenile drug users opened in St. Louis, offering rehabilitative treatment, preventive education in drug abuse for teachers and community leaders, and regional and school workshops.

**New Jersey.** In FY 1971, \$750,000 in LEAA funds supported New Jersey's narcotics addiction and drug abuse program. The program assists units of local government in preventing drug abuse through education, training, and public information.

A typical grant was \$30,351 to the city of Montclair to enable its police department to create the Office of the Narcotic Coordinator. The office will train and educate personnel; inform and educate the general public through the mass media; and apprehend, through selective enforcement and surveillance, violators of narcotics laws.

Substantial grants to implement drug coordination and prevention programs were made to the cities of Elizabeth and Paterson.

**New Mexico.** Education also is emphasized in New Mexico's drug abuse program. The New Mexico Department of Health and Social Services assisted State and local agencies in conducting eight training workshops,

Methadone Maintenance Program for local heroin addicts.

**Ohio.** LEAA grants enabled Columbus to expand its program of narcotics and drug abuse enforcement; Toledo to support a drop-in house where short-term housing, medical aid, and professional counseling are made available to adolescents with drug problems; and Franklin County to develop a county-wide tactical investigative unit coordinating the activities of 34 law enforcement agencies.

A Center of Science and Industry in Columbus developed a multimedia program of drugs and drug abuse education. An exhibit with live demonstrations that promote viewer interaction attracted 185,000 visitors, nearly half of whom were students.

**Oregon.** Abuse of dangerous drugs and narcotics addiction was attacked on many fronts. LEAA funds of \$289,878 were allocated for regional approaches by establishing and equipping investigative teams in four districts and the Oregon State Police. An administrative district composed of four counties, with Portland as the focal point, received a grant to expand the narcotics section of its Vice and Narcotics Division from 24 to 29 agents, commissioned to make arrests, searches, and seizures in all four counties.

This program resulted in breaking up two major organized drug operations reaching as far as Mexico, as well as drying up many local sources.

Prevention programs in public schools revolved around a "Know the Law" theme.

**Wisconsin.** The attack on the drug problem in Wisconsin centers on treatment of addicts and education in the perils of drug use.

The Community Council on Drug Abuse of Green Bay received LEAA funds to develop a drug information program using participants from the legal, medical, and clerical professions, and inmates from the Wisconsin State Reformatory. Approximately 24,000 persons participated in more than 300 programs, involving discussion and the presentation of films. The Green Bay Council also established a Public Information Center on Drug Abuse as part of the Brown County Library.

With assistance from the State Medical Society, the Center produced a 3-hour televised program entitled "Drug Turn-on," which was distributed to area high schools. The Council also published a supplement to the Green Bay Press Gazette, which was distributed to 26,340 students in the junior high schools, high schools and colleges.

The City of Milwaukee received a grant of \$73,531 for a drug abuse education program in the schools. The Racine Addiction Center was awarded \$71,198 for a program to attack the drug abuse problem.

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Patient takes methadone in orange juice at Washington, D.C., clinic.

The most noteworthy achievement of the Special Action Office for Drug Abuse Prevention to coordinate Federal treatment, rehabilitation, and education efforts, and the creation of the Office for Drug Abuse Law Enforcement.

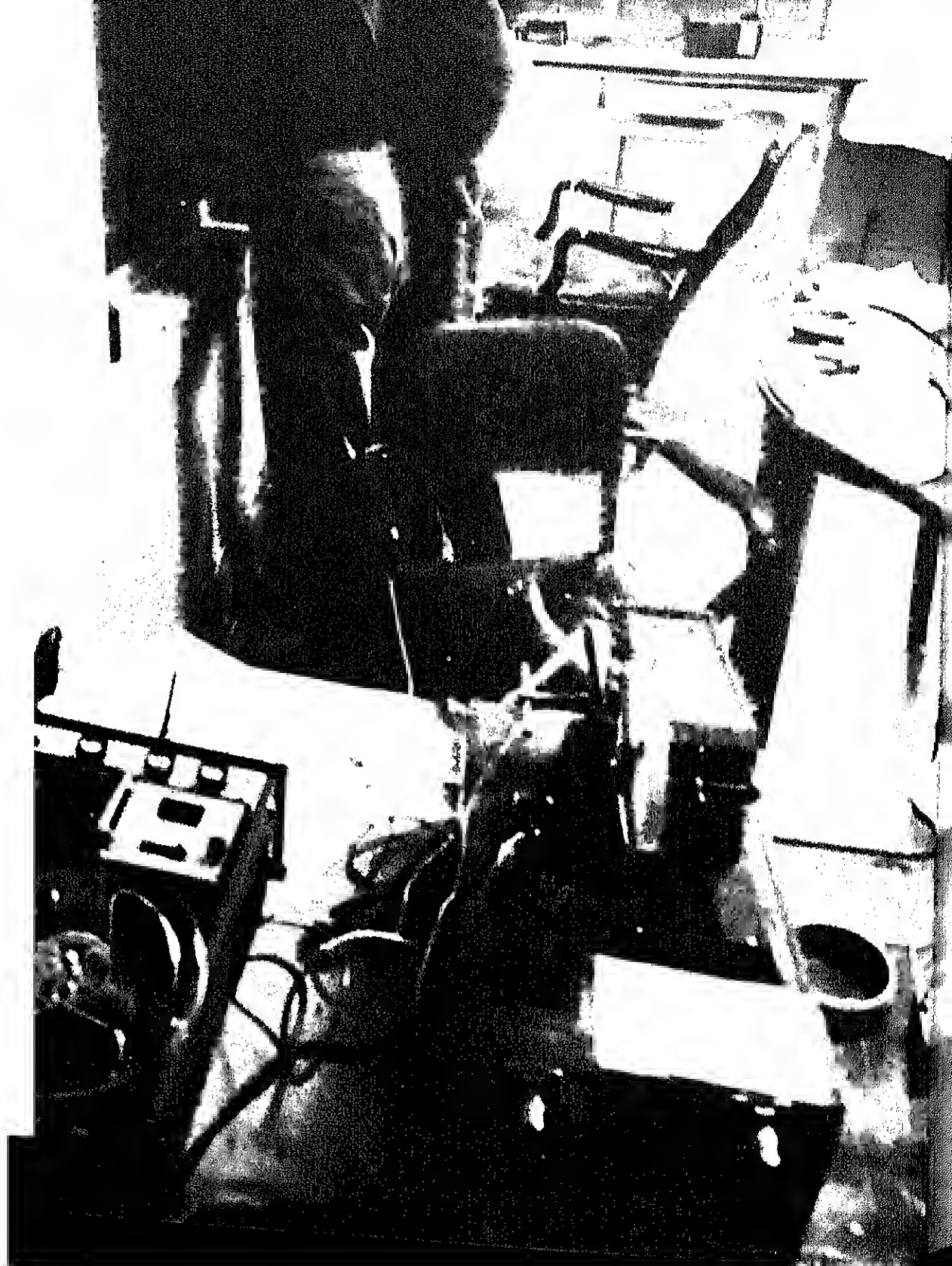
common theme is evident: the objectives that motivate the Federal campaign against drug abuse are the relentless pursuit of drug criminals, the humane treatment of addicts and abusers, and the honest education of youth.



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The most comprehensive attack on organized crime in the Nation's history has been welded together during the past 3 years under the leadership of President Nixon. New approaches to controlling criminal activities, greater commitments of resources, and high-level coordination of Federal programs are among the initiatives taken.

In consequence, organized crime activity never has been such a precarious undertaking in the United States as it is today.

The organized crime figure faces an awesome array of Federal—and, increasingly, State—law enforcement forces.

He stands a better chance of detection, arrest, indictment, conviction, and imprisonment than ever before.

He may be detected through investigative efforts of any of dozens of Federal or State agencies—through court-authorized wiretapping, through Federal audits and examinations, through Federal tax probes, through customs inspections, or through other continuing investigations into the kinds of crimes in which he is involved.

Prosecution efforts also have been greatly intensified by the Department of Justice. The number of indictments and convictions in organized crime cases was nearly doubled in FY 1971.

**Growing drive.** The number of organized crime strike forces, Federal units concerned solely with the detection, investigation, and prosecution of organized crime figures, has increased from three at the beginning of FY 1969 to 18.

The number of attorneys in the Organized Crime and Racketeering Section of the Criminal Division in the Department of Justice increased from 68 in 1968 to 134 in the spring of 1972. The number of assistant U.S. attorneys around the Nation, who handle much of the case-load in prosecutions, increased 40 percent.

Federal funding of State and local efforts to combat organized crime nearly doubled from 1970 to 1971, through grants by the Law Enforcement Assistance Administration.

In 1970, a National Council on Organized Crime was established by President Nixon to provide Cabinet-level coordination and policy in the Federal Government's attack on organized crime.

The Nixon administration also has made use of Federal law providing for wiretapping under certain circumstances, and of new congressional legislation relating to organized crime.

As to the usefulness of new legislative weapons, former Attorney General John N. Mitchell noted early in 1972 that court-authorized wiretapping "is considered the most effective single weapon to penetrate these well-entrenched criminal groups and (the administration has) used it to bring about record numbers of indictments and convictions."

He said the administration also "proposed and saw passed the Organized Crime Control Act of 1970, which provided additional authority for obtaining and preserving testimony, protecting witnesses, destroying large-scale intrastate gambling operations, prosecuting corrupt public officials and their corrupters, and disrupting the criminal infiltration of legitimate business."

## Results

The results of this intensified effort have been impressive. The Department of Justice reports that in FY 1971, 2,122 defendants were indicted in organized crime cases, and 679 convictions were obtained. This is nearly double the indictments and convictions a year earlier of 1,142 and 418, respectively, and a substantial growth over 813 indictments and 449 convictions in FY 1969 and 1,166 indictments and 520 convictions in FY 1968.

By coordinating efforts and implementing all legislative and administrative tools, the administration "mounted a far more effective drive against organized crime than had been possible before," according to Attorney General Richard G. Kleindienst in 1972. "In New York, Chicago, and many other cities, we have torn big gaps in the ranks of the top gangland bosses," he said.

An assessment of the impact of the new effort against organized crime was made in mid-1972 by Henry E. Petersen, Assistant Attorney General in charge of the Criminal Division.

The "war against organized crime" has "reached its zenith, in terms of manpower and legislation," he said.

Organized crime, he said, is "less powerful" today than it was a few years ago. He added: "In terms of quantitative comparisons, there are obviously no reliable statistics on organized crime income or operation. But in terms of the organization, as we know it, and the number of convictions that we are obtaining, and the stature of the people we are convicting . . . I think we are weakening the organization."

"What I judge by is the number of high-echelon figures convicted. We can show an increase in the number of identified people in organized crime who are being convicted year by year. And, it just seems to me to be im-

crime, has substantially increased its commitment of manpower and resources to this effort over the past few years.



Audio equipment, used in court-authorized wiretap, aids in surveillance by local law enforcement officials.

The Organized Crime and Racketeering Section of the Criminal Division has a key role through administering strike forces and through its prosecutive function. Stepped-up activities in both these areas have set the pace for intensified Federal efforts against organized crime.

The Federal Bureau of Investigation, which carries out the major intelligence and investigative effort, has increased its manpower levels and intelligence dissemination to deal more effectively with organized crime. In FY 1971, for example, the FBI participated in the largest series of gambling raids in its history.

Recent activities of the Bureau of Narcotics and Dangerous Drugs included Operation Flanker, the largest Federal effort to date against the distribution of illegal drugs. This 6-month investigation resulted in arrests and indictments which included indications of organized crime involvement.

Department of the Treasury. The conviction of organized crime figures for income tax evasion has gained impetus through the participation of Internal Revenue Service (IRS) agents in the strike force program. In FY 1971, IRS initiated a new program specifically designed to investigate middle- and upper-echelon narcotics traffickers for criminal tax violations.

The Bureau of Alcohol, Tobacco, and Firearms (ATF), formerly the ATF Division, also participating in strike force operations, has been instrumental in uncovering organized crime elements by tracing their concealed ownership of establishments selling or serving alcoholic beverages.

Secret Service efforts regarding organized crime—largely investigations of forgery and counterfeiting—have increased through a greater commitment of manpower as well as a doubling of expenditures from FY 1970 to FY 1971.

The Bureau of Customs participates in major strike



force operations. The Bureau has established a special branch to act as liaison with the strike forces and to implement new enforcement programs. The Bureau has intensified efforts to combat the organized theft of cargo and halt the illegal importation of narcotics by organized crime figures.

**Postal Service.** The Postal Inspection Service has expanded its efforts in investigating organized crime involvement in postal-related offenses such as post office burglary rings, fencing of stolen stamps and money orders, mailing of illegal drugs, and numerous types of mail fraud violations. Indicative of the increased effort is the establishment of an Organized Crime Division in the Postal Inspection Service.

**Department of Labor.** In response to growing evidence of labor union infiltration by organized crime groups, Department of Labor investigators probe into labor racketeering activities to uncover organized crime involvement in extortion, embezzlement, fraud, and other illegal acts pertaining to labor unions.

**Department of State.** The Passport Office of the Department of State maintains continual liaison with the Department of Justice in order to move swiftly against organized crime figures violating passport laws.

**Securities and Exchange Commission.** As a result of its growing concern with organized crime involvement in malpractice in the securities and financial markets, the Securities and Exchange Commission began assigning personnel to organized crime strike forces in FY 1969. In FY 1970, it established an organized crime section at its Washington headquarters. These activities have led to increased investigations of organized crime cases, resulting in the indictment of 58 persons during FY 1970 and FY 1971.

**Federal Communications Commission.** Illegal gambling, the largest source of revenue for organized crime, comes under the investigative authority of the Federal Communications Commission when lottery information is transmitted by radio communication. FCC contributes to the Federal Government's drive against organized crime by uncovering such transmissions and taking administrative action against broadcasters, or referring cases to the Department of Justice for possible criminal action.

## National Strategy

The nature of organized crime operations has made mandatory the development of a national strategy that could

The need for a nationwide attack on organized crime has given rise to a pooling of efforts by various elements of the Federal Government. The strike force concept, launched in 1967, is the leading example of such Federal coordination.

Organized crime strike forces, under coordination of the Department of Justice, bring the combined expertise of investigators from a number of Government agencies to the metropolitan areas in which they operate. There are currently strike forces located in Baltimore, Boston, Brooklyn, Buffalo, Chicago, Cleveland, Detroit, Kansas City, Los Angeles, Miami, Newark, New Orleans, New York, Philadelphia, Pittsburgh, San Francisco, and St. Louis, plus a Special Project Force in the District of Columbia.

Participating agencies are: Bureau of Narcotics and Dangerous Drugs, Labor-Management Services Administration of the Department of Labor, the Internal Revenue Service, the Secret Service, Bureau of Customs, Bureau of Alcohol, Tobacco, and Firearms, Postal Service, and Securities and Exchange Commission.

There are about five attorneys from the Organized Crime and Racketeering Section on each strike force, and total personnel levels depend on the number of representatives assigned from other agencies.

**Operations.** The strike forces work through combined planning and information, with strike force representatives calling upon their own agencies for implementation of the investigative effort. After studying all available intelligence data, the strike forces develop priorities of investigation for each agency involved. Strike force representatives then enlist the support of field investigators from their own agencies for developing cases under their responsibility. When necessary, other agencies which do not have representatives on the strike forces can be called upon to assist in investigations which relate to their area of involvement.

The chief of each strike force is an attorney from the Organized Crime and Racketeering Section. Strike forces provide daily and monthly reports on significant cases to the Attorney General.

The Special Project Strike Force in Washington, D.C., called Strike Force 18, attempts to trace money from racketeering activities to legitimate businesses and financial institutions. Because this money can turn up anywhere in the country, Strike Force 18 may call upon support from other strike forces as necessary.

**Strike force support.** The strike forces have varying degrees of contact with local law enforcement authorities. Only the New York strike force has State and local authorities as permanent representatives. In other strike forces, the extent of liaison with local authorities depends on the manpower and capability of the agency involved.



problem and Federal efforts in combating it. The Council's role is to provide guidance, strategy, and coordination on a national level in the fight against organized crime. It makes broad policy decisions, such as where new strike forces will be located. The Council has set a target date of 1976 for bringing syndicated crime in the United States under control.

**Members.** The Council meets at the call of the Attorney General, who serves as chairman. Other Department of Justice members of the Council are the Assistant Attorney General, Criminal Division; the Assistant Attorney General, Tax Division; the Chief of the Organized Crime and Racketeering Section of the Criminal Division; the Commissioner of the Immigration and Naturalization Service; the Director of the Bureau of Narcotics and Dangerous Drugs; the Director of the Federal Bureau of Investigation; and the Administrator of the Law Enforcement Assistance Administration.

Council members from the Department of the Treasury are the Secretary of the Treasury, the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations), the Assistant Secretary (Tax Policy), the Commissioner of the Bureau of Customs, the Commissioner of the Internal Revenue Service, the Director of the United States Secret Service, and the Chief Counsel of the Internal Revenue Service.

Other Council members are the Postmaster General, the Secretary of Labor, and the Chairman of the Securities and Exchange Commission.

**Staff.** Six regular staff committees of the Council have been set up in the areas of narcotics; gambling rackets; infiltration of business; labor; State and local efforts against organized crime; and counterfeit and stolen funds, securities, and credit cards. These committees analyze current needs and efforts in their areas of involvement and make suggestions for methods of dealing with the specific activities of organized crime.

## International Involvement

The jurisdictional problems which necessitate Federal involvement have increased rapidly as organized crime has expanded its activities throughout the Nation and across national borders.

An example is organized crime involvement in the importation of illegal drugs. The Federal Government has established cooperative programs with various foreign Governments in an effort to control drug trafficking.

Foreign banking and investment present another problem of international proportions, as some capital from organized crime activities is sent overseas and out of the reach of local investigative efforts. The United States is currently involved in negotiations with the Swiss Government on approaches to solving this and other criminal problems through a mutual assistance treaty.

Foreign nations may provide information to Federal agencies dealing with organized crime on request, although there are no formal procedures for liaison on

organized crime matters between the United States and other nations.

## Organized Crime Act

The most comprehensive Federal legislation enacted to combat organized crime is the Organized Crime Control Act of 1970 (P.L. 91-452), which includes the following provisions:

- ☐ Authorization for special grand juries to sit in heavily populated areas for up to 36 months to indict and report to courts on noncriminal misconduct by appointed public officials involving organized crime activities (title I);
- ☐ The broadening of witness immunity laws (title II);
- ☐ Authorization of the detention for up to 18 months of recalcitrant witnesses until they have complied with court orders (title III);
- ☐ Authorization of conviction for perjury based on obviously contradictory statements made under oath (title IV);
- ☐ Authorization for the Attorney General to protect and maintain Federal and State witnesses and their families in organized crime cases (title V); and
- ☐ Making a Federal offense the plotting to obstruct State law in order to facilitate an illegal gambling business and prohibiting the conducting of illegal gambling businesses (title VIII).

## Programs of Federal Agencies

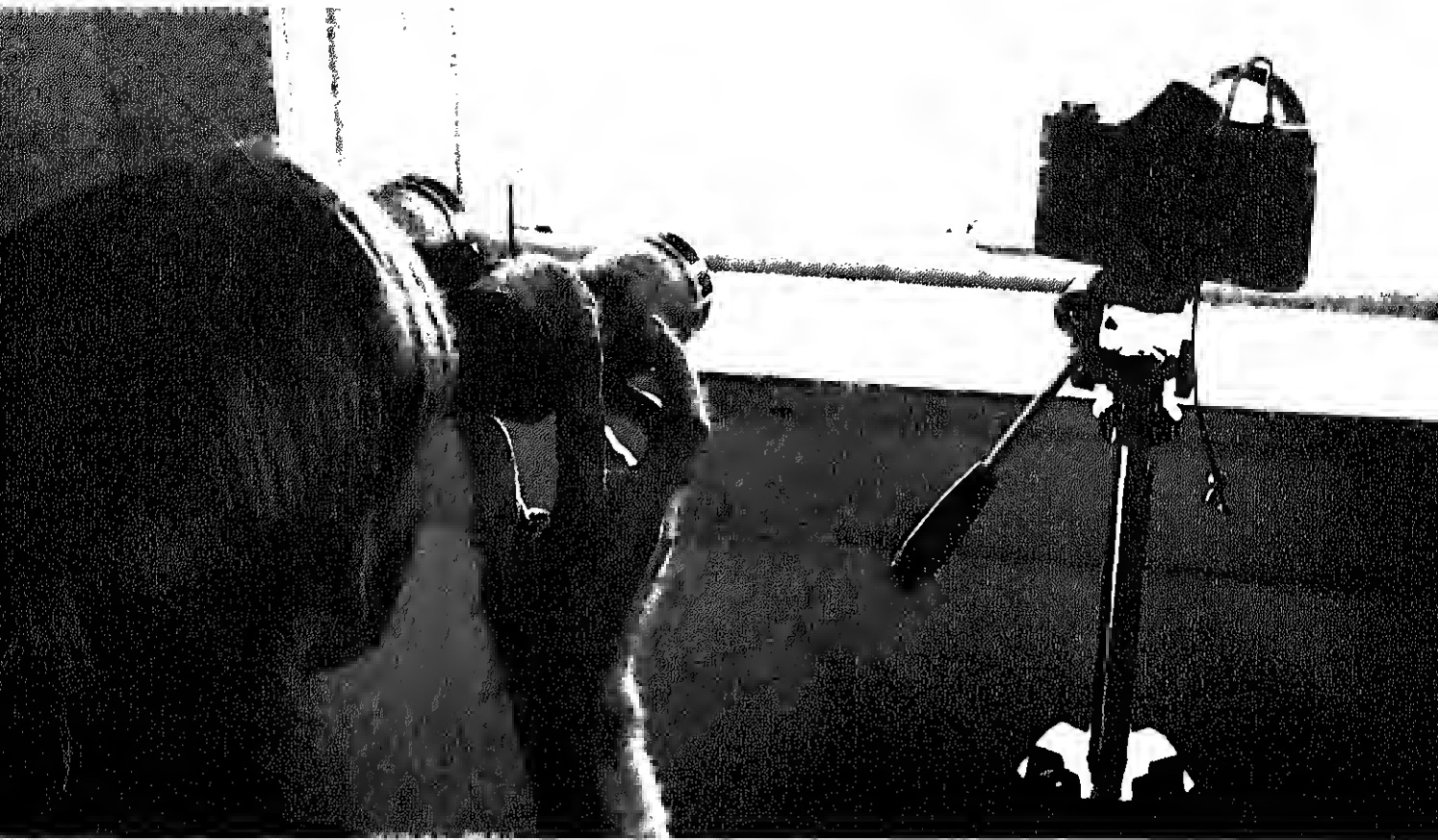
As pointed out in the Summary, the intensified Federal efforts against organized crime involve a wide range of Government agencies and departments. Relevant programs of many of these agencies have increased significantly as the Government has sought greater involvement and new approaches to attack the problem.

Following is a discussion of the Government programs which are contributing to the coordinated Federal attack against organized crime.

## Department of Justice

The main investigative and prosecutive strength of the Federal Government in its attack on organized crime is provided by the Department of Justice.

are the Organized Crime and Racketeering Section, which administers strike forces and has a key prosecutive role; the General Crimes Section, which enforces criminal statutes covering a variety of organized crime activities; the



Visual surveillance of suspected organized crime activity.

Activities of the Department regarding organized crime bracket the field.

The Criminal Division administers the strike forces and prosecutes individuals accused under statutes relating to organized crime.

The Federal Bureau of Investigation provides the key investigative and intelligence-gathering functions.

The Bureau of Narcotics and Dangerous Drugs conducts investigations of heroin and dangerous drug trafficking, an activity often associated with organized crime.

The Immigration and Naturalization Service investigates persons involved in crime who are aliens or naturalized citizens, to determine if they violated immigration or naturalization statutes; if so, deportation or denaturalization proceedings may be brought.

The Tax Division conducts criminal and civil litigation involving violations of tax laws, including violations by organized crime elements who derive income from illicit sources such as heroin traffic.

Legislation and Special Projects Section, which provides the Congress with information on pending legislation and disseminates guidelines to personnel of the Department on new legislation; and the Management and Labor Section, which enforces statutes relating to organized crime activity in labor unions.

## Organized Crime and Racketeering Section

The coordination of Federal activities directed toward organized crime rests primarily with the Organized Crime and Racketeering Section. The Section has responsibility for coordinating information sharing, overseeing the operation of strike forces, and enforcing Federal criminal statutes related to racketeering activities.

The Organized Crime and Racketeering Section was started in 1961. By FY 1968, it had a complement of 68 attorneys; and, under President Nixon's accelerated drive against organized crime, it grew to 134 attorneys and

96 other personnel in FY 1971. Two units, the Special Operations Unit and the Intelligence and Special Services Unit, have responsibility for the Section's various areas of concern.

**Special Operations Unit.** The Special Operations Unit is responsible for reviewing Federal requests for court orders for electronic surveillance under title III of the Omnibus Crime Control and Safe Streets Act of 1968. A total of 261 court orders was obtained in FY 1971, bringing the total since the first order requested under the act to 387. The bulk of these orders has been obtained to investigate gambling offenses. The Special Operations Unit also handles inquiries from the strike forces and United States Attorneys' offices regarding electronic surveillance and requests to immunize witnesses.

**Intelligence Unit.** Responsibilities of the Intelligence Unit include arranging for protection of witnesses in organized crime cases under title V of the Organized Crime Control Act of 1970. The Unit is also charged with the maintenance of a data facility with information on the scope and membership of organized crime syndicates throughout the Nation. In this capacity, the Unit collects and indexes information from the wide range of Federal agencies which cooperate in the effort to combat organized crime.

Most of the work in this area is with the Bureau of Narcotics and Dangerous Drugs and the Federal Bureau of Investigation; the Office of Labor-Management and Welfare-Pension Reports of the Department of Labor; the Postal Inspection Service of the United States Postal Service; and the Bureau of Customs, Secret Service, Bureau of Alcohol, Tobacco, and Firearms, and Internal Revenue Service, all in the Department of the Treasury.

The Intelligence Unit has been phasing computer capability into its data facility over the past 5 years. The data work, some of which is still done manually, will eventually be completely automated.

Some analysis of the data maintained is performed by the Intelligence Unit. More often, however, the attorney in charge of prosecution analyzes information relevant to his case. This facilitates the work of the attorney in presenting the information to a grand jury or at trial.

**Persons under investigation.** A list of persons under investigation for possible organized crime involvement is distributed by the Organized Crime and Racketeering Section to all Federal agencies having investigative responsibilities. Other Federal agencies may request information from the Organized Crime and Racketeering Section, but dissemination is by no means automatic. Each

Statutes enforced. The specific statutes with enforcement under the auspices of the Organized Crime and Racketeering Section are the Gambling Devices Act of 1962; the Consumer Credit Protection Act; the Organized Crime Control Act of 1970; and other gambling, racketeering, and liquor laws. The Section also supervises enforcement of other Federal criminal statutes when investigation shows evidence of organized crime involvement.

**Indictments and convictions.** By the close of FY 1971, grand juries provided for under title I of the Organized Crime Control Act had been summoned in at least 10 districts. Under the gambling provisions of the act (title VIII), there were 45 indictments involving 469 defendants. A number of indictments were obtained under title VIII, prohibiting the obstruction of State criminal law to facilitate illegal gambling; and one indictment was returned under the provisions of title IX, concerning racketeer-influenced and corrupt organizations.

During FY 1971, activities of the Organized Crime and Racketeering Section indicated increased results over the previous fiscal year. A total of 2,122 defendants were indicted in organized crime cases, and 679 convictions were obtained.

Major indictments and convictions during FY 1971 included the conviction of 61 high-echelon organized crime figures.

**Raids.** A number of major raids was also carried out, including the largest Federal effort to date against narcotics distribution. The Organized Crime and Racketeering Section provided coordination for that crackdown, termed Operation Flanker. A raid of six gambling rings in New Jersey and adjoining States resulted in the arrest of 65 persons involved in sports betting operations estimated to handle \$35 million yearly.

## General Crimes Section

The General Crimes Section supervises enforcement of several statutory areas which may involve offenses by organized crime groups. These areas include offenses relating to Government operations and property, interstate commerce, obstruction of justice, extortion, and perjury.

Corruption of public officials, which can involve organized crime elements, comes under the examination of the General Crimes Section, as do crimes involving theft of goods in transportation.

The Section also supervises enforcement pertaining to the theft of securities and other negotiable items. This is a growing area of organized crime involvement; and during 1969-70 the net worth of missing or stolen securities was estimated to exceed \$400 million.

munity provisions of the act. The Immunity Unit is charged with facilitating the processing of applications for grants of immunity under title II of the act.

## Management and Labor Section

In 1970, the Management and Labor Section was established within the Criminal Division to supervise enforcement of Federal criminal laws which regulate the activities of labor organizations. The Section prosecutes cases involving interference with interstate commerce by extortion, improper payments to union officials by employers, embezzlement of union funds, kickback payments to agents of welfare and pension plans, and other racketeering activity.

Labor racketeering is carried out by organized crime groups seeking to infiltrate unions to gain access to union funds and the funds of their pension and welfare systems. This infiltration provides the means for theft of union money, extortion of funds by threats of labor strikes, and a base for a variety of other organized crime operations.

Although not all indictments and convictions in areas under the Management and Labor Section's responsibility involve organized crime elements, it is notable that 70 indictments were returned in these areas during FY 1971, compared with 43 in FY 1970. Defendants convicted totaled 68 in FY 1971, compared with 32 in FY 1970.

## Federal Bureau of Investigation

The Federal Bureau of Investigation, the principal investigative agency of the Department of Justice, is responsible for investigations of violations of various Federal criminal statutes including those aimed at combating organized crime. FBI Special Agents are assigned to investigative and intelligence coverage of racketeering activities and criminal syndicates.

Because it has a major investigatory responsibility in a wide variety of criminal activities, the FBI is able to supply intelligence to the many Federal agencies involved in investigating specific facets of organized crime. It also supplies intelligence to the Organized Crime and Racketeering Section on a continuing basis, and it cooperates with strike forces through investigation of any matters referred to it by those groups.

In this capacity, FBI agents may be called upon to work with strike force personnel in investigating specific cases. However, because of the Bureau's broad investigative responsibilities and its continual and close coordination with the Organized Crime and Racketeering Section, it has not been necessary to assign FBI personnel to permanent positions on strike forces.

**Information dissemination.** The prompt dissemination of information uncovered by the FBI to other Federal, State, and local law enforcement agencies is a major aspect of

the FBI effort against organized crime. In FY 1971, 340,451 items of criminal intelligence were forwarded to various agencies, an increase of about 42,000 over the previous year. Many of these items dealt specifically with organized crime, enabling the agencies receiving them to conduct nearly 650 raids; arrest nearly 4,000 gambling and racketeering figures; and seize cash, contraband, and gambling paraphernalia valued at more than \$2 million.

Local police departments have been particularly successful, in a number of instances, in acting on FBI information. One police department was able, through information provided by the FBI, to break up two gambling operations which together handled almost \$1 million weekly. Another police department using FBI information conducted a raid which resulted in 184 arrests on various gambling, liquor, and morals charges.

**Illegal gambling.** The illegal gambling provisions of the Organized Crime Control Act have resulted in increased FBI activities in that area. The act went into effect in October 1970; and between that time and the close of the fiscal year on June 30, 1971, some 725 arrests had been made involving illegal gambling under the act, and cash, property, and gambling paraphernalia valued at \$1.7 million had been confiscated.

FBI participation in gambling raids during FY 1971 included the largest series of such raids in FBI history.

Raids in Louisiana and Mississippi resulted in the confiscation of pinball and slot machines and cash valued at more than \$6.65 million. An interstate operation handling approximately \$60 million annually was broken up by raids in seven States and the District of Columbia. These raids led to 56 arrests. In the New York City area, FBI raids on five gambling operations which were handling about \$163 million annually resulted in 79 arrests. More than 400 FBI agents participated in a series of raids in Michigan, Florida, Illinois, and Nevada, which resulted in 150 arrests.

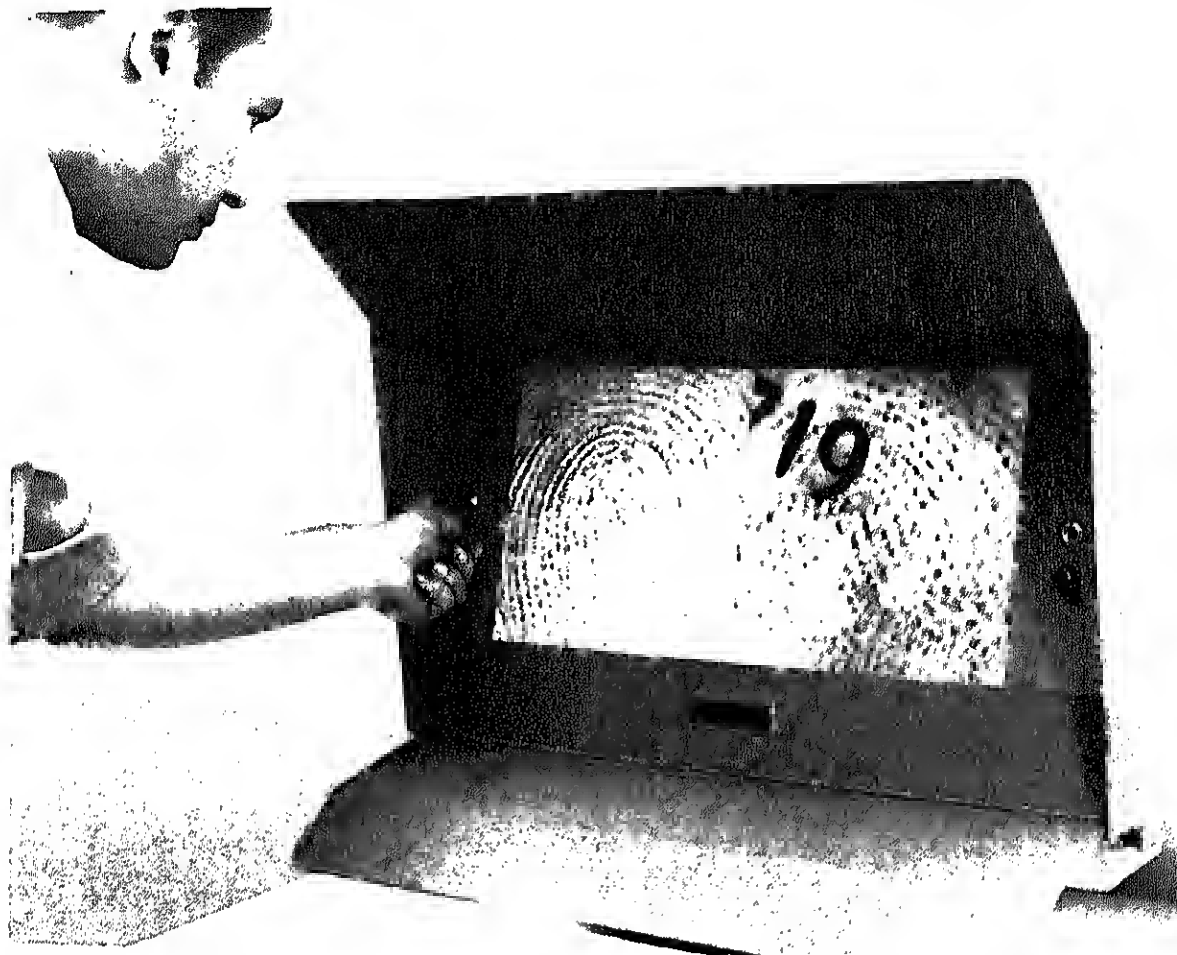
The FBI also joined with the Internal Revenue Service in the largest Federal gambling raid in history during FY 1971. The raid struck at sports betting operations in 26 cities and led to the confiscation of more than \$2 million.

**FBI Laboratory.** The FBI Laboratory has facilities to handle a wide range of scientific investigations, some of which are useful in organized crime cases. The facilities are also available to other Federal, State, and local law enforcement agencies in carrying out their investigative efforts.

The Laboratory has been particularly helpful in the investigation of gambling activities. In this area, Labora-

## Dangerous Drugs

The Bureau of Narcotics and Dangerous Drugs (BNDD) assists the Federal drive against organized crime through its efforts to combat illegal drug trafficking. BNDD personnel are assigned to all 17 strike forces outside the District of Columbia. BNDD has also instituted a variety of



Fingerprint comparator is operated by FBI specialist to identify latent fingerprints.

task force operations with an investigative mission specifically designed to disrupt organized crime's trafficking of narcotics and dangerous drugs.

Operation Flanker was the most significant BNDD task force operation of FY 1971. Initiated for the purpose of immobilizing sources of drugs in four major crime systems, this operation was aimed at criminals in New York, Philadelphia, Baltimore, Hartford, Detroit, Chicago, and New Orleans.

Operation Flanker was designed to use all available investigative tools, including wiretapping, which was successfully utilized in five cities. Undercover probes also were initiated by BNDD agents to penetrate the highest levels of the crime systems. Agents placed in positions of confidence were able to purchase large quantities of narcotics from high level traffickers. More than 200 BNDD

agents were involved in this intensive, 6-month investigation.

More than 100 arrests and indictments resulted from Operation Flanker, including the indictment of one figure identified by a Senate subcommittee as being the head of an organized crime group. The operation also resulted in substantial seizures of drugs, cash, and weapons.

In another highly successful task force operation during FY 1971, Operation Stitch, BNDD agents enlisted the support of local forces against mid-level narcotics traffickers in New York and Chicago. The investigation resulted in 159 arrests and dangerous drugs and narcotics seizures worth \$4.5 million on the illicit market.

## Immigration and Naturalization Service

The Immigration and Naturalization Service (INS) is

charged with significant investigative responsibility in a number of areas where organized crime elements may be present. It investigates violations of laws relating to immigration, naturalization, and nationality as codified in the Immigration and Nationality Act of 1952, as amended.

In those statutes, Congress has denied to certain classes of persons, including those with criminal records or background, admission to the United States or permission to travel or reside in the United States.

The grounds for deportation include convictions for crimes involving moral turpitude; involvement in or conviction of illegal narcotics activities; or involvement in commercialized vice, prostitution, or other immoral acts. Deportation may also be employed if, at the time the alien entered the United States, he was excludable on the same grounds for which he could be deported.

Because the use of these statutes is usually dependent on a criminal conviction, it is often difficult to obtain deportation of aliens or naturalized citizens involved in organized crime activities. Other grounds for deportation, usually involving illegal entry, have been successfully employed in some cases. Organized crime figures also have been ordered deported for such acts as entry as a stowaway and failure to report an alien address.

INS investigations are facilitated through continuous liaison and exchange of intelligence with the FBI, the Organized Crime and Racketeering Section, the Bureau of Customs, and other Federal agencies. INS presently has 16 investigators assigned to strike forces. Through its field offices, INS also maintains liaison with State and local law enforcement agencies.

In cases of persons known to be of interest to the Organized Crime and Racketeering Section, INS conducts investigations and furnishes reports to the Section. The investigations include analyzing background information, determining amenability of INS action, and enforcing deportation or denaturalization where appropriate. In FY 1971, INS provided the Organized Crime and Racketeering Section with 215 reports of such completed investigations.

The departure of two aliens involved in organized crime activity was enforced through INS efforts during FY 1971, and 18 cases were being dealt with at various stages by the close of the fiscal year.

One of the aliens whose departure was enforced was wanted by Italian authorities for extortion and murder. He had entered the United States with documents purporting to show him to be a native of Mexico. While under a deportation order, he fled to South America.

The second case involved an alien who had been de-

cases of income tax irregularities, the Tax Division assists the Internal Revenue Service in collection of Federal revenues. Tax Division attorneys may be called upon to assist U.S. attorneys in grand jury investigations, trial preparation, and prosecution of criminal tax cases. In many instances, prosecution for criminal tax violations has proved to be a highly significant tool against those involved in organized crime activities.

The Tax Division maintains close liaison with the Criminal Division in cases concerning organized crime. Racketeer involvement in tax fraud cases and cases dealing with income from organized crime activities are brought to the attention of that Division. Tax aspects of investigations carried out by the Criminal Division are, in turn, brought to the attention of the Tax Division. Thus, the same expertise applied by Tax Division attorneys in all criminal tax cases can be brought to bear on cases involving organized crime, through the joint efforts of Tax Division and Criminal Division attorneys contributing to the same cases.

The Tax Division also maintains close liaison with the Intelligence Division of the IRS, receiving referrals for prosecution of organized crime cases from IRS attorneys.

In FY 1971, the Tax Division assigned attorneys to maintain liaison with each of the 18 strike forces. These attorneys assisted in the development and prosecution of major cases in 13 cities. Convictions of racketeers and public officials for tax fraud more than doubled over those of the previous year.

The caseload involving racketeering elements was about 10 percent of the Tax Division's total criminal caseload in FY 1971, with 119 new cases received during the fiscal year. A total of 35 convictions was obtained.

## Law Enforcement Assistance Administration

Efforts to control organized crime at the State and local level have increased substantially in recent years, gaining impetus from funds and technical assistance furnished by the Law Enforcement Assistance Administration (LEAA).

LEAA set a number of goals in FY 1971 which are basic to program planning: establishment of a description of the organized crime problem in each State; development of public awareness of the nature and effects of organized crime; and development of more effective intelligence, investigative, and prosecutorial methods to combat organized crime.

A number of LEAA-funded programs have assisted State and local governments in activities directed toward these goals. These include: (1) a series of regional Organized Crime Training Conferences for police, prosecutors, judges, and criminal justice planners; (2) orientation sessions for judges through regional conferences; (3) the publication of a number of manuals to assist criminal justice personnel working in the area of organized crime; (4) sponsorship of State and local law enforcement per-

sonnel in Federal training programs; and (5) a consultant program to provide State and local units of government with technical assistance in combating organized crime.

LEAA funding for organized crime programs comes from block grants to States, which support State and local crime reduction programs; and from discretionary grants, given directly by LEAA for projects which otherwise would not receive needed funds.

In the research area, the National Institute of Law Enforcement and Criminal Justice, the research and development unit of LEAA, funded several organized crime projects in FY 1971.

Descriptions of these efforts follow.

**Block grants.** In FY 1971, the States funneled more than \$11 million (about 3 percent) of their LEAA block grant funds into programs to combat organized crime. LEAA also made discretionary grants totaling nearly \$4 million to projects to fight organized crime in 16 States.

The States used block grant funds for a wide variety of programs tailored to the needs of the particular locality. Emphasis was in the areas of training specialized investigative law enforcement personnel, setting up intelligence groups to gather and interpret information, and assessing and evaluating the nature and scope of organized crime.

## State Activities

Examples of funds allocated and the use made of them, based on reports to LEAA from the States themselves, follow.

**Hawaii.** Two programs were established to attack organized crime. One is aimed at upgrading the statewide police criminal intelligence functions, the other at developing an investigatory and prosecutorial unit to act as the State attorney general's "strike force." Funded with \$297,500, the programs will assess the extent and nature of organized crime and work toward its reduction.

A major portion of the programs' activities is devoted to recruiting and training personnel and enlisting the assistance of the public and private sectors in the onslaught on organized crime.

Four police intelligence units contribute full-time personnel to the statewide intelligence unit. The prosecutorial unit makes available specialists to evaluate and prosecute organized criminal activity.

**Illinois.** This State allocated \$1,388,000 of its FY 1971 LEAA funds to programs to control organized crime,

feasibility of an organized crime control agency and for conducting legislative research.

**Michigan.** Law enforcement authorities estimate that organized crime in Michigan takes in \$1 billion a year, mostly from poverty plagued residents of urban areas. The existence of organized crime has been identified in all the State's urban areas, but is primarily concentrated in the Detroit metropolitan region. Michigan enforcement agencies received grants of \$1 million from LEAA in 1971 for programs to combat organized crime.

**Missouri.** More than \$100,000 in LEAA funds was committed to collect data, investigate and prosecute organized crime figures, and establish a coordinated task force of metropolitan prosecutors and State level advisors.

Prosecuting attorneys of Jackson and St. Louis Counties and the circuit attorney of St. Louis each used LEAA funds to employ an additional full-time special prosecutor to investigate organized crime activities and prosecute violators. The prosecutors are part of a strike force project which also utilized State and local police and a special legal advisor.

**New Jersey.** LEAA funds used to support organized crime programs in New Jersey included \$100,000 to the Division of State Police in the Department of Law and Public Safety for continuation of a statewide Crime Intelligence Project; \$256,000 to continue support of the Organized Crime and Special Prosecution Section of the Division of Criminal Justice and the Organized Crime Task Force Bureau of the State Police; \$80,000 to the Division of Criminal Justice to establish a resource pool of organized crime enforcement personnel and equipment; and \$550,000 to establish organized crime investigation and prosecution sections in the Essex County-Newark and Mercer County-Trenton areas.

**Pennsylvania.** Grants totaling more than \$1 million were largely used to staff and equip specialized organized crime units in Pennsylvania during FY 1971. A strike force was established under the direction of the State attorney general, its members including attorneys, accountants, special investigators, and researchers.

The Pennsylvania Crime Commission was awarded LEAA funds to staff and equip an organized crime intelligence and control unit. The Organized Crime Division of the Pennsylvania State Police received a grant to establish a unit responsible for coordinating investigative activities among State police field personnel and Federal, State, and local authorities.

**Discretionary grants.** LEAA discretionary grants during FY 1971 funded programs which attacked organized crime in a number of ways. A major grant of \$215,037



organized crime. For example, civil penalties and injunctions were used against two Chicago juke box trade associations and a northern Illinois scavenger operation to prevent them from operating in restraint of trade.

(2) For the first time, a coordinated multi-State effort to combat organized crime is underway. The New England Organized Crime Intelligence System, supported by LEAA funding, centralizes the organized crime intelligence operations of six States in order to establish coordinated data collection and analysis, strategy planning, and enforcement efforts.

(3) LEAA funding in West Virginia provided additional staff support for a Purchasing Practices and Procedures Commission to determine the extent of official corruption suggested by earlier Federal investigations and to find ways to remedy the situation. The Commission drafted and obtained passage of comprehensive reform legislation which included a purchasing crimes and conspiracy act, a bribery and corrupt practices act, and a general criminal conspiracy act. Since the establishment of the Commission, per capita State purchasing expenditures have dropped markedly.

(4) In Dade County, Fla., LEAA supplied discretionary funding for an Organized Crime Training Course. The 7-week course provides extensive training to local law enforcement personnel dealing with organized crime.

**Research.** Research by LEAA included the evaluation of organized crime intelligence systems, a study of ethnic succession in organized crime, a study of police corruption, and a study of consumer borrowing from loan sharks.

## Department of the Treasury

The Department of the Treasury, charged with law enforcement responsibility in a number of areas involving fiscal matters and protective services, has a substantial role in the Federal effort against organized crime.

Enforcement responsibilities are related to such crimes as smuggling, counterfeiting, illegal importation of goods, forging of Government checks and securities, and internal revenue offenses.

The Internal Revenue Service, Bureau of Customs, Secret Service, and Bureau of Alcohol, Tobacco, and Firearms all deal with offenses in which organized crime elements are sometimes involved, and all three have representatives on strike forces.

The Office of Law Enforcement, in the Office of the Assistant Secretary (Enforcement and Operations), is responsible for policy direction and administrative coordination of the Department's participation in the Federal effort against organized crime.

Reports follow on the major activities in regard to organized crime carried out by the constituent agencies of the Department of the Treasury.

## Internal Revenue Service

The Internal Revenue Service, responsible for overseeing enforcement of Federal tax laws, has two offices which investigate organized crime activities.

**Intelligence Division.** The Intelligence Division has responsibility for investigation of suspected criminal violations of tax laws; recommendation, when warranted, of prosecution; and collection of information concerning the extent of criminal violations of Federal tax laws. A total of 1,900 Special Agents is assigned to 59 Internal Revenue Districts throughout the United States to help accomplish this mission.

In general, the efforts of the Intelligence Division in combating organized crime are related to two methods of attacking the problem: the conviction of organized crime figures for income tax evasion, and the lessening of profits from organized crime activities through taxation.

The use of these methods of attacking organized crime necessitates an extensive investigative effort, primarily developed through Intelligence Division participation in the strike force program. Intelligence Division agents are assigned to all strike forces throughout the United States and maintain continual liaison with the Division through exchange of intelligence information with four Division coordinators in Washington, D.C.

The Intelligence Division brings together information from the Organized Crime and Racketeering Section at the Department of Justice and from IRS to develop a program of cases to be dealt with by strike force personnel from the Intelligence Division. Strike force investigations resulting in cases recommended for prosecution are first referred to the IRS Regional Counsel in the area involved. If the Regional Counsel concurs that prosecution is merited, he in turn refers the case to the Tax Division of the Department of Justice. If he does not concur, the information on the case is referred to the Organized Crime and Racketeering Section.

Prosecuting organized crime figures for income tax evasion has become a highly effective tool against organized crime, and its use has been helpful in reducing the potential for even more serious crimes of organized groups. In FY 1971, prosecutions included:

- ☐ A former attorney in Detroit who represented racket figures for failure to file his income tax returns;
- ☐ A narcotics trafficker in Florida for income tax violations;
- ☐ The son of a former crime chief in the New York area for attempting to evade income tax payment; and
- ☐ The operator of the largest pari-mutuel numbers lottery in Michigan for income tax evasion.

The use of civil tax sanctions resulted in FY 1971 in successful collection of taxes from racketeering activities in a number of instances. Currency totaling \$114,721

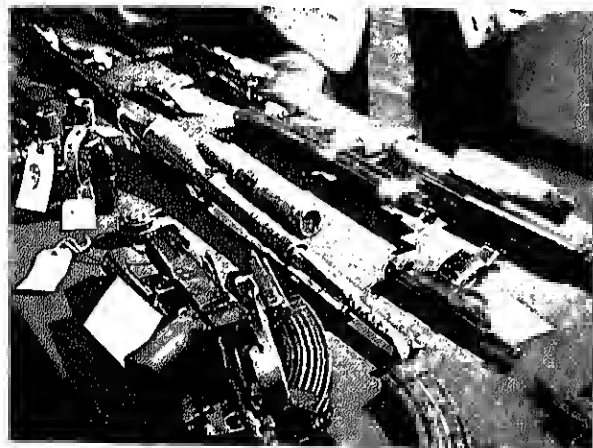
cotics program was developed to prosecute middle- and upper-echelon narcotics traffickers for criminal tax violations and to reduce their profits through assessing and collecting taxes on income from that illicit activity.

During FY 1972, 200 special agents and 200 revenue agents are to be assigned to IRS districts to conduct investigations of narcotics traffickers.

**Bureau of Alcohol, Tobacco, and Firearms.** Organized crime groups have often been found in violation of Federal firearms and explosives laws and have been found to hide profits from various unlawful activities in the concealed ownership of establishments serving or selling alcoholic beverages. This kind of activity comes under the concern of the Bureau of Alcohol, Tobacco, and Firearms (ATF), formerly the ATF Division, in its administration and enforcement of Federal alcohol, tobacco, firearms, and explosives laws.

To carry out its investigative efforts into organized crime activities, ATF has assigned 19 of its personnel to the 17 strike forces outside of Washington, D.C., and some 100 field investigators to areas throughout the country.

Cases for investigation are determined jointly by the field investigators, strike force representatives, and ATF representatives in Washington headquarters. Information received from the Organized Crime and Racketeering Section at the Department of Justice, developed by ATF headquarters, and uncovered in the field, is taken into consideration in making these determinations.



ATF maintains daily liaison with its strike force representatives through a nationwide teletype communication system, and information received from the strike forces is transmitted to the Organized Crime and Racketeering Section. When field investigators, who carry out the major portion of the investigative effort, determine a need for prosecution, they recommend such action to the ATF strike force attorney in the area involved. The strike force then transmits this recommendation to the Organized Crime and Racketeering Section.

In FY 1971, ATF expended 104 man-years on its organized crime efforts.

The work of ATF is not aimed primarily at the major criminal activities from which organized groups profit, but at the subsidiary activities which enable those groups to pursue their involvement in the areas which are more often associated with organized crime.

For example, many ATF investigations have been directed at uncovering violations of Federal firearms laws when the subjects are suspected of supplying firearms to organized crime figures. ATF also works closely with the Bureau of Customs in investigation of cases in which firearms are suspected of being smuggled into the United States for use of organized crime groups.

Its work in investigating violations of internal revenue laws pertaining to alcohol has enabled ATF to uncover a variety of types of organized crime involvement in that area. One facet of this work is the investigation of illicit distilling operations. More recently, however, ATF has been particularly helpful in uncovering racketeering elements by finding that they have hidden interests or control in nightclubs, bars, restaurants, or liquor distributorships. Although these may be legitimate businesses, knowledge of their existence as a location of organized crime assets often can be helpful in subsequent criminal investigations.

**Internal Security Division.** Efforts of organized crime to penetrate IRS itself have occurred in recent years.

The large amounts of money which could be gained by successful violation of tax laws make the attempted bribery or corruption of IRS officials particularly appealing to organized crime groups. The Internal Security Division is charged with protecting the integrity of IRS by investigating employee misconduct in this area.

One recent investigation resulted in the arrest or indictment of 13 IRS agents or former agents, eight organized crime figures, and two certified public accountants. Another investigation resulted in the conviction of two alleged organized crime figures with sentences of 1 year

Weapons seized by the Bureau of Customs.

imprisonment and a fine of \$10,000 for bribery and conspiracy and 9 months imprisonment and a fine of \$5,000 for bribery.

The Internal Security Division also assisted the Knapp Commission in its investigation of alleged police corruption in New York City. Internal Security inspectors worked undercover for nearly a year to develop evidence of the alleged corruption.

## Bureau of Customs

International activities often related to organized crime, such as narcotics trafficking, unlawful importation of firearms, and illegal activities at ports and international airports, come under the investigative responsibility of the Bureau of Customs.

The Bureau of Customs by 1971 had assigned agents to strike forces throughout the country. In this capacity, information is exchanged with the Organized Crime and Racketeering Section with respect to possible cases for investigation, intelligence gained through investigation, and action to be taken as a result of investigation.

In 1969, the Organized Crime and General Smuggling Branch was created in the Bureau of Customs. This Branch maintains liaison with the strike forces and is responsible for creating and implementing new enforcement programs. Special agents of the Branch are also available to assist in investigations related to organized crime or smuggling.

Narcotics trafficking. Bureau of Customs inspections aimed at narcotics trafficking, a major area of organized crime involvement, have increased substantially in recent years. All aircraft, cargo, vessels, vehicles, mail, and persons entering the United States are being more closely inspected than ever before by Bureau of Customs officials. The use of X-ray machines for package inspection; detector dogs at docks, airports, and borders; and narcotic test kits for quick analysis of possible illegal drugs have greatly increased Bureau of Customs capabilities in this area.

Cargo theft. Criminal activity, including that of organized crime, has increased substantially at major airports, including not only smuggling but also theft of cargo and illegal activity by cargo carrier firms.

Efforts to control pilferage and theft of cargo at piers and air terminals have been stepped up by the Bureau of Customs with substantial results. For example, an experimental program at John F. Kennedy International

international airports and piers, which are licensed by the Bureau of Customs. The investigations uncovered substantial evidence of organized crime infiltration into the firms, meriting further investigation for possible referral to the Department of Justice for prosecution.

One case recently developed with the assistance of Bureau of Customs agents involved an association of trucking firms, infiltrated by organized crime, doing business at John F. Kennedy International Airport. A number of indictments resulted for conspiracy to violate the rate fixing provision of the Sherman Antitrust Act.

## Secret Service

The United States Secret Service, in its investigation and suppression of forgery and counterfeiting of U.S. Government checks and bonds, has a significant role in combating organized crime.

Although organized crime involvement in counterfeiting and forgery is relatively limited when compared to gambling or narcotics trafficking, Secret Service investigations have uncovered a large number of conspiracies in this area.

During FY 1971, 20 Secret Service agents were assigned to strike forces. They maintain liaison with the Organized Crime and Racketeering Section in much the same way as do other Department of the Treasury strike force personnel. Relevant intelligence data known to the Organized Crime and Racketeering Section is supplied to the Secret Service strike force personnel. In turn, these agents transmit information to the Organized Crime and Racketeering Section on subjects known to be of interest to that Section.

In addition to the strike force work, Secret Service field personnel in FY 1971 were conducting 102 separate investigations of cases designated by the Department of Justice as organized crime matters. Field agents are available to assist strike force personnel when called upon and to carry out investigations in locations where there are no strike forces.

Secret Service man-hours contributed to combating organized crime in FY 1971 totaled 66,341, up from 44,000 the previous year. The FY 1971 budget allocation for activities to counter organized crime was \$754,000, compared with \$373,644 in FY 1970.

## United States Postal Service

The violation of postal laws by organized crime elements is related both to the entry of organized crime into legitimate business and commerce and to organized crime involvement in illegal activities.

For example, violations of the mail fraud statute (18 U.S.C. 1341), often involving elements of organized crime, are investigated by the Postal Inspection Service, the investigative and enforcement arm of the U.S. Postal Service.

airports, post office burglary rings, and the fencing of stolen stamps and postal money orders are among the unlawful activities which are investigated by the Postal Inspection Service and into which organized crime elements have entered.

**Special unit.** Although organized crime activity may be uncovered during the regular investigative work of the Postal Inspection Service, the nature and scope of this activity have merited special attention. The Postal Inspection Service participates in all aspects of the Federal effort against organized crime, and a special Organized Crime Division has been established at its Washington, D.C., headquarters to oversee coordination of its work in the area of organized crime.

**Strike forces.** The Postal Inspection Service made its first assignment of an inspector to a strike force in FY 1969; and by FY 1971, a total of 18 inspectors was assigned to 16 strike forces. Another 73 postal inspectors were also investigating organized crime cases by the close of the fiscal year. These inspectors were either supplementing the work of strike force personnel when necessary or carrying out investigations in areas where strike forces had not been activated.

Man-hours devoted to organized crime investigations of the Postal Inspection Service totaled 56,795 in FY 1971, compared to 33,696 for FY 1970. During FY 1971, these investigations resulted in 267 indictments, 240 arrests, and 157 convictions.

## Department of Labor

The infiltration of labor unions by organized crime groups gives those groups a platform for extortion activities through threats of labor strife and an opportunity for theft or embezzlement of money from large sums in union welfare or pension systems.

The Federal Government's major sanctions for combating this kind of organized crime activity are the Labor-Management Reporting and Disclosure Act of 1959, as amended (29 U.S.C. 401, *et seq.*) (LMRDA) and the Welfare and Pension Plans Disclosure Act, as amended (29 U.S.C. 301-309) (WPPDA). The Labor-Management Services Administration (LMSA) in the Department of Labor is responsible for the administration and enforcement of these acts.

**Crimes.** Although both acts are primarily aimed at insuring public disclosure, criminal sanctions imposed by LMRDA include those for falsification of union records, extortionate picketing, and embezzlement of union assets. WPPDA prohibits theft or embezzlement, bribery, and kickbacks in connection with welfare and pension funds. Although not all investigations of violations of these sanctions have uncovered organized crime elements, there have been numerous incidents of such involvement. Federal efforts in this area have increased substantially in recent years.

**Investigations.** Primary responsibility for investigating violations of the acts relating to possible organized crime involvement rests with the 89 LMSA field compliance officers and LMSA representatives on the 17 strike forces outside the District of Columbia. Thirty-three professionals in LMSA headquarters provide support for the field activities of those officers.

Compliance officers investigate labor racketeering activities while maintaining close coordination with other strike force attorneys for comparison of results with those of investigations conducted by other Federal agencies. Intelligence reports and information are exchanged regularly with the Organized Crime and Racketeering Section.

**Costs.** During FY 1971, \$2,739,000 was spent for LMSA participation in strike forces. This compares with \$662,352 in FY 1970 and \$300,000 in FY 1969.

## Other Federal Efforts

A number of other Federal departments and agencies contribute in one way or another to the overall effort against organized crime.

Their contribution often consists of supplying information to those agencies more directly involved in investigation and enforcement.

In many cases, these agencies regulate or are otherwise concerned with areas which organized crime elements seek to enter and exploit. The steady referral of information from those agencies thus provides the Federal Government with a valuable and lawful method of monitoring attempts of organized crime to penetrate private business and other such areas.

The Federal Communications Commission has special responsibilities regarding organized crime in that it regulates broadcasts which might transmit lottery or other information of value in illegal gambling.

Reports follow on the more significant Federal activities in these areas.

**Securities and Exchange Commission.** Malpractice in the securities and financial markets can entail organized crime involvement in such areas as fraud and deception in the purchase and sale of securities. The Securities and Exchange Commission (SEC) has the responsibility for protecting the public against such malpractices under the

by corporations and other issuers, proxy litigations, etc. When information contained in this material is of possible interest to the Organized Crime and Racketeering Section, it is transmitted to that Section.

In FY 1970, the SEC established an organized crime section at its headquarters, staffed with nine professionals and five clerical workers.

SEC field investigation into organized crime activities is largely carried out through participation in strike forces.



Law enforcement official demonstrates the easy concealment of a sawed-off shotgun.

Since 1969, SEC has assigned six or seven persons to strike forces. During FY 1970 and FY 1971, SEC conducted 72 investigations in which there was suspected organized crime involvement. These investigations resulted in the indictment of 58 persons and the conviction of 34 individuals in criminal actions.

**Small Business Administration.** In checking the eligibility of businesses applying for loans, licenses, contracts, or other financial assistance, the Small Business Administration (SBA) is concerned with the possible organized crime involvement of those applicants.

**Department of Transportation.** The Office of Air Transportation Security in the Federal Aviation Administration has an informational function relating to applicants, employees, contractors, airmen, and air carriers certified by the Administration. In carrying out this function, the Office researches names of persons who are of interest to organized crime control efforts of the Department of Justice and other Federal agencies. In this way, the Office of Transportation Security tries to ascertain whether persons of interest to the Organized Crime and Racketeering Section are identifiable with certified pilots and owners of aircraft.

**Federal Communications Commission.** An area in which the Federal Communications Commission (FCC) participates in combating organized crime is that of denying the use of radio communication for transmission of information that could abet illegal gambling or wagering. Although the enforcement of FCC regulations is largely dealt with through civil sanctions and administrative proceedings, criminal statutes apply to some regulations, such as the broadcasting of certain lottery information (18 U.S.C. 1301) to abet illegal gambling.

When the FCC uncovers evidence of such transmissions, the matter may be referred to the Department of Justice for possible prosecutive action. In FY 1971, the FCC took administrative action against several broadcasters found in violation of Federal sanctions against programming which directly supports an existing lottery.

## Conclusion

Organized crime has presented one of the most serious challenges of any criminal activity to the Federal Government and to society in general. The key to the Federal response, under the leadership of President Nixon, has been coordination of effort.

The many Federal agencies and departments involved in fighting organized crime are now working together in joint policy formulation, planning, and investigation. The result is a comprehensive, cooperative assault against organized crime activity.

At the same time, greater priority has been given to organized crime programs within these Federal agencies and departments. In some, greater manpower and larger budgets have been the basic components of intensified efforts. In others, new programs have begun or existing programs have been restructured as a result of the increased commitment of the Federal Government as a whole.

In terms of increased indictments and convictions of organized crime figures, the Government is succeeding in its efforts. By heavily involving a variety of Federal agencies, the Government has been able to utilize a wide scope of Federal criminal laws to obtain convictions of growing numbers of organized crime figures. It has also identified and convicted more high-echelon members of organized syndicates and has made substantial inroads into weakening organized crime activities in general.

representing the Law Enforcement Assistance Administration, the Office of Economic Opportunity, the Department of Labor, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare; three minor-program members, representing the Department of Agriculture, the Department of the Interior, and the Department of Transportation; and two coordinating members, the Office of Management and Budget and the Special Action Office for Drug Abuse Prevention. Ex-officio members include The White House, the Office of Child Development, the National Institute of Mental Health, the ACTION office, the Department of Defense, the Veterans Administration, the Bureau of Prisons, and the District of Columbia City Council.

Funds. Council operations are funded by the five major agencies (2/13 of all expenses each) and the three minor agencies (1/13 each); \$650,000 has been pledged. No funds were expended in FY 1971. Approximately \$175,000 was spent early in FY 1972 on contracts to implement the operations of the evaluation and management task forces; a management analysis contract and a program identification and evaluation contract.

Staff. Council staff members (approximately 10 in number) are on detail from member agencies.

## National Strategy

The new national strategy that the Council is evolving will affect all the activities discussed in this essay. This strategy includes developing the concept of joint funding by the five major Council members at a regional level, in accordance with the Integrated Grant Administration program of the Federal Assistance Review Committee, established in 1969 to speed the efficient flow of Federal funds to local communities. The concept includes providing assistance to grantees in developing a single application whose components may be funded by more than one Federal agency. The concept is being refined through experience in FY 1972 and FY 1973 with pilot projects.

## Total Expenditures

The Interdepartmental Council compiled estimated totals of expenditures in FY 1971 of Federal departments and agencies in the area of juvenile delinquency prevention and rehabilitation.

These expenditures were broken down to reflect the programs of these departments and agencies in three areas: (1) programs and projects aimed at already delinquent youth, including adjudication and rehabilitation programs; (2) youth development programs which are directed at preventing juvenile delinquency; and (3) youth and personal improvement programs which relate indirectly to the reduction of juvenile delinquency.

pendent on projects aimed at delinquent youth, \$29.1 million was expended on youth development programs, and \$7.132 billion was expended on youth improvement programs.

The Youth Development and Delinquency Prevention Administration (YDDPA), part of HEW, spent \$15 million during the fiscal year. Five million dollars was spent on juvenile delinquency programs and \$10 million on youth development programs.

The Department of Housing and Urban Development spent \$241.1 million. Of this total, \$3.1 million was spent on juvenile delinquency programs, \$5.4 million on youth development programs, and \$232.6 million on youth improvement programs.

During the fiscal year, the Department of Justice (other than LEAA) had expenditures totaling \$28.3 million. Of this amount, \$27.7 million was spent on juvenile delinquency programs and \$600,000 on youth development programs.

LEAA spent \$98.6 million on youth programs. The total included \$61.2 million on juvenile delinquency programs and \$37.4 million on youth development programs.

During the fiscal year, the Department of Labor spent \$953.4 million. The Department spent \$684.5 million on youth development and \$268.9 million on youth improvement.

The Office of Economic Opportunity (OEO) had expenditures totaling \$245.2 million. OEO spent \$9.3 million on juvenile delinquency programs, \$47.0 million on youth development programs, and \$188.9 million on youth improvement programs.

In addition to those listed above, other departments and agencies also had programs designed to combat juvenile delinquency. These were: the Departments of Agriculture, the Interior, and Transportation; the Veterans Administration; the United States Postal Service; the Appalachian Regional Commission; the United States Civil Service Commission; the National Council on Indian Opportunity; and ACTION. The total spent by these agencies was \$2.74 billion. Of this, \$700,000 was spent on juvenile delinquency programs, \$3.6 million on youth development programs, and \$2.736 billion on youth improvement.

This essay presents an introduction to and perspective on delinquency-related programs of the Federal agencies that are discussed in greater detail in the departmental chapters of this annual report. Programs are divided into four categories: delinquency prevention, community-based treatment, institutional treatment, and research and training. In many cases an agency is discussed in more than one category; a mention in one category is not necessarily to be interpreted as an agency's entire effort.

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Community-based recreation programs are among the delinquency prevention activities of the Department of Health, Education, and Welfare.



Content ranges from education and information to involving young people in their community and its programs. The Federal strategy is to offer constructive alternatives to anti-social behavior—and to provide rewards for constructive social behavior.

## Juvenile Delinquency Prevention and Control Act

The major Federal legislation in this area is the Juvenile Delinquency Prevention and Control Act, passed in 1968 and amended in 1971. It is administered by the Youth Development and Delinquency Prevention Administration (YDDPA) within the Social and Rehabilitation Service (SRS) of the Department of Health, Education, and Welfare (HEW).

The purpose of the act is to help States and communities to assess and coordinate their resources, to plan comprehensively, and to develop innovative community-based programs for prevention, diagnosis, and rehabilitation of delinquent youth.

The act calls for treatment of offenders as well as prevention of offenses. Its thrust, then, is to reduce crime by keeping offenders in the community, thus restoring them to more normal lives than would be possible if they were to be incarcerated.

**Goals.** Special aims of the act are to divert the young offender from the criminal justice system and guide him in or near his home; to help the predelinquent without segregating and stigmatizing him; and to involve him in community programs and encourage him to serve on councils advising youth service agencies.

The act provides for strengthening agencies serving young people by authorizing funds to train new and experienced personnel and to develop new techniques and practices.



- \$854,236 for 18 community-based rehabilitative service projects authorized by title I-B;
- \$6,524,052 for 121 preventive service projects (title I-C) in schools, drop-in centers, halfway houses, and group homes, involving Youth Services Systems and community-based probation offices and offering services ranging from outreach to troubled youth to social, recreational, and vocational activities;
- \$2,269,262 for 36 title II workshop programs for professionals and nonprofessionals, such as parents and youth;
- \$131,318 for five title II grants for developing training curriculum for professionals;
- \$129,420 for title II training of 10 graduate students to work in youth service agencies;
- \$1,461,781 for nine title III experimental projects to evaluate and develop new approaches and involve young people; and
- \$778,959 for 15 title III grants, mostly to universities, to enable them to give technical assistance to title I projects and to develop a network of coordinated delinquency prevention systems.

**Information.** The YDDPA, in administering this act, offered extensive public information services, publications, and reports, including 10 regional seminars for State information personnel.

## Law Enforcement Assistance Administration

In May 1971 the Departments of Justice and HEW agreed that YDDPA would focus on prevention and diversion, and the Law Enforcement Assistance Administration (LEAA) would concentrate on youth already involved in the juvenile justice system. The FY 1971 LEAA budget for juvenile delinquency therefore reflects somewhat more emphasis on prevention than subsequent budgets:

	Number of projects	Amount
Prevention and youth development.....	112	\$16, 622, 132
Diagnosis and diversion.....	93	18, 583, 488
Rehabilitation/treatment.....	202	35, 384, 160
Upgrading resources.....	210	19, 324, 328
Drug abuse.....	65	7, 380, 827
Total.....	682	97, 294, 935

LEAA administers the Omnibus Crime Control and Safe Streets Act of 1968, as amended. It is the main funding agency of the Federal Government in the fields of crime and delinquency. It grants funds to States for developing comprehensive plans to reduce crime; it then funds those plans; and it distributes individual grants at its discretion for programs that would not otherwise be funded by States. It also conducts research and provides technical assistance to States.



LEAA programs. Since its establishment in 1968, LEAA has been deeply concerned with juvenile delinquency. The agency has urged States to concentrate on delinquency prevention and control, stressing rehabilitation. Congress, too, has expressed continuing interest in this area; in FY 1971, for example, it amended the basic act to authorize the use of LEAA action funds for community-based delinquency prevention programs.

This basic approach has led LEAA to provide funds for the following kinds of programs:

- ☐ Cleveland, Ohio, where the treatment program strengthens community agency prevention efforts while steering juveniles away from the criminal justice system;
- ☐ Austin, Tex., where the drug program has both a treatment and an education outreach component;
- ☐ Projects in Dayton, Ohio, San Jose, Calif., Albuquerque, N. Mex., and Charlotte, N.C., where youth service bureaus provide both rehabilitation and home-service orientation;
- ☐ Washington, D.C., where the Action for Children in Trouble (ACT) program tries to give personal service to children and their families, at the same time reinforcing the family unit; and
- ☐ California, where the statewide delinquency prevention program has fielded a Law Enforcement Consultant Team composed of police and Youth Authority personnel to work with community agencies to stimulate needed programs.

## Community Relations Service

Just as its goals have involved LEAA in delinquency prevention, so the Community Relations Service (CRS) has become involved with many social service problems directly or indirectly concerned with delinquency prevention and control. Also part of the Department of Justice, the CRS focuses upon helping communities resolve racial difficulties.

**Staff work.** CRS staff members have undertaken the following kinds of activities:

- ☐ Worked with citizens and agencies in police complaint programs in two cities and police-community relations in eight cities;
- ☐ Helped Escambia County, Fla., apply successfully for an LEAA planning grant to develop a juvenile detention center offering innovative correctional, counseling, child care, and vocational programs;

Elementary and secondary education. Dropout prevention efforts in low-income schools accounted for \$10 million in FY 1971. These funds were authorized by VIII of the Elementary and Secondary Education (ESEA) of 1966 and were administered by the Dropout Prevention Branch of the Bureau of Elementary Secondary Education (BESE) of OE.

This Bureau administered \$19 million for program disadvantaged, neglected, and delinquent children. State institutions under a State-grant formula. LEAA schools received \$1.334 billion under the same kind of formula, authorized by title I of ESEA.

These services ranged from remedial and enrichment programs to health and counseling services for pre-delinquent and delinquent children.

A lesser-known source of funds for youth development and delinquency prevention is another State-grant program administered by BESE under title III of ESEA called PACE (Projects to Achieve Creativity in Education). These funds, for innovative supplementary centers and services, amounted to \$143,393,000 in FY 1971. Title III funds often are linked with dropout prevention funds to insert delinquency prevention components into projects which are not otherwise directly aimed at delinquency prevention.

A Drug Abuse Education Branch under the Department of Education administered \$6 million in FY 1971 authorized by the Drug Abuse Education Act of 1970. These funds enabled seminars to prepare teachers to initiate and conduct projects to prevent drug abuse. Some of these projects, including those in Texas and Georgia, were also funded by LEAA.

**Adult education.** Through formula grants to State vocational agencies, the Bureau of Adult, Vocational, and Technical Education provided a broad spectrum of vocational education services to school populations, including an inestimable number of pre-delinquents. Funds for this program amounted to almost \$400,000,000 in FY 1971.

**Higher education.** Finally, the Bureau of Higher Education maintained a University Community Services program for colleges and universities helping to solve community problems.

## Department of Housing and Urban Development

Training 16- to 22-year-old male residents of public housing projects as a way to prevent vandalism is a promising Department of Housing and Urban Development (HUD) concept. It has been tested in the District of Columbia with some success and is being expanded.

The concept reduces high unemployment in the projects and solves the difficult job of staffing them. Recruit-

assisted housing through its work with Local Housing Authorities (LIHAs). LIHAs help local youth-service agencies to provide on-site services by furnishing community space for such services, encouraging tenants and others to use the services, having professional staff to conduct or coordinate tenant services programs, utilizing the HEW-HUD agreement for a respective 75 percent-25 percent sharing of the cost of providing social services, and contracting out for needed social services as eligible project costs, if feasible.

**Model cities.** A number of delinquency prevention projects were partially supported by HUD in its Model City demonstration areas, such as drug abuse programs, vocational and employment efforts, youth councils, group foster homes for predelinquents and delinquents, and centers for teenagers, unwed mothers, and youths in need of legal help. This demonstration cities programming contains a strong educational component and maintains liaison with the Office of Education. A new Model Cities funding concept called the Planned Variations approach permits programs outside the geographical bounds of model neighborhoods to be funded, allowing greater flexibility for local planning.

## Department of the Interior

Several Department of the Interior programs directly served predelinquent youth: a \$12.8 million Recreation Support Program for inner-city youth; a summer job program that allocated 25 percent of its funds, or \$2,006,000, for hiring needy youth; and the Urban Sport Fishing Program begun in Washington, D.C., in 1968 and continuing with no funding but with fish donated by national hatcheries.

The Department operated 10 Job Corps centers for the Labor Department with \$12,706,000.

**Programs.** A number of Department programs for children, youth, and the general population also indirectly serve high-risk young people. Examples are the Bureau of Indian Affairs recreational and police-community relations programs; the Youth Conservation Corps 1971 summer employment of 2,600 15- to 18-year-old boys and girls on Indian reservations, wildlife refuges, public lands, national parks, and forests; Land and Water Conservation Fund aid to State and local governments to help them acquire and develop land for recreation and parks, which amounted to \$185 million in FY 1971; environmental education programs for which \$425,000 was allocated in FY 1971, opening some public lands to educational groups as study areas; and the District of Columbia Parks for all Seasons entertainment and activity programs, which cost \$578,000 in FY 1971.

## Department of Agriculture

Similarly, the Department of Agriculture operates general youth programs which indirectly serve predelinquents. They are lodged primarily in the 4-H Youth Development Unit of the Extension Service and, to a lesser degree,

ment of the Interior on Youth Conservation Corps summer programs and operates 20 Job Corps centers in National Forests for the Department of Labor.

**Black students.** The Department's Soil Conservation Service offers training and work to needy outstanding black high school students. These students are selected in cooperation with deans of predominantly black colleges that provide agricultural training. The program permits the students to work at locations allowing them to save a good deal of money for their college expenses. Funding for this program was \$85,000 in FY 1971.

**Washington, D.C., projects.** In Washington, D.C., inner-city youths with interest or potential in science and engineering received summer jobs at American University after referral by teachers and guidance counselors. This program, which did not require scholastic excellence or demonstrable aptitude, was sponsored by the Agricultural Research Service and had no separate budget.

## Department of Labor

Two major delinquency prevention programs are administered by the Department of Labor, Manpower Administration--the Neighborhood Youth Corps and the Job Corps, funded in FY 1971 at \$426,453,000 and \$160,187,000, respectively.

Both programs offer basic education and vocational training to disadvantaged youth. The Job Corps operates residential centers which extend placement and follow-up services, free room and board, monthly allowances, allotments to dependents, and readjustment allowances for those who meet certain criteria. The Corps develops, tests, and publishes results of new training techniques.

The Neighborhood Youth Corps, by contrast, works in the community. Its clients are divided into three groups: young people who need money to stay in school, young people who are out of school but are under- or unemployed, and young people who need summer work to pay for school in the fall. Each group receives training, work experience, and full- or part-time employment. The aim is permanent employment.

## Department of Transportation

Several safety and information programs in the Department of Transportation include segments associated with

The Office of Economic Opportunity (OEO) is the agency of the executive branch assigned the task of finding ways to reduce poverty and its attendant problems. Some of its programs focus on youth directly; many more serve youth indirectly.

The most extensive of these programs—\$32,005,000 was allocated for them in FY 1971—are the Youth Development Programs. They involved more than 600,000 14- to 25-year-olds.

Funded through Community Action Agencies, these programs embraced a broad range of activity: neighborhood development, education, employment, drug abuse prevention, police-community relations, health, etc.

Consistent with OEO philosophy of citizen participation, the youth themselves are actively involved in planning and operating the programs. Youth Advisory Councils work with adult advisory councils and CAA boards of directors in developing program priorities for the youth served by the CAA.

**Demonstration programs.** Eight experimental demonstration programs were given \$1,994,324 in FY 1971 to determine whether disadvantaged inner-city youths could plan and carry out projects that would help to prepare them for productive lives.

These experiments were in Columbus, Ohio; San Juan, Tex.; Tampa, Fla.; North Richmond, Calif.; Philadelphia, Pa., where there were two projects; Washington, D.C.; and New York, N.Y. The results were used in designing the Youth Development Programs.

**Education program.** A \$5.375 million School Age Education Program offered a full range of support services to school-age participants: tutoring and remedial work, testing and counseling, exposure to creative and performing arts and participation, curriculum and facilities development, and special education services and programming.

**Pilot police district.** A demonstration project designed to reduce friction between police and citizens, the Pilot Police District Project in the District of Columbia Third Police District, included several youth-oriented components:

(1) The Junior Cadet and Courtesy Patrol hired and trained 16- to 21-year-olds to undertake public safety jobs, such as escorting children and the elderly, directing traffic, checking buildings, and reporting such problems as abandoned cars to the appropriate agencies;

(2) The Hillcrest Youth Center project involved policemen in programs for area youth, such as sports, music, and arts; all workers are volunteers in this project, which was conceived by:

(3) The SAJA (Special Assistance) Program aims at contact between "hippies" and adults, organizations, and referring children to area facilities;

(4) A policeman-volunteer program teaches youths how to take and develop pictures in a popular Photography Training

The Pilot Police District Project dealt with a number of problems, more fully discussed in a later chapter of this report. But it also identified deep gaps between inner-city youths and the police that must be bridged.

**Operational projects.** Seven operational projects at \$823,301 were aimed wholly at crime prevention in FY 1971:

(1) The Chicago Department of Public Safety ran a \$575,171 prevention and rehabilitation program for 12- to 21-year-olds. The program included job placement, and residential services to help youths live at home.

(2) In Houston, Tex., the Hill Country Action Association program operated a program for high school dropouts, giving them a chance to enter school and counseling through the program. Funding was \$104,130.

(3) Jobs and a social and recreational program developed for 200 young gang members by the Metro Corps, Inc. youth program cost approximately \$50,000 in FY 1971.

(4) The Winston-Salem, N.C. Police Department sponsored the Gladiator Boxing program for young people. An auxiliary program for adult ex-offenders was implemented at a cost of \$21,000.

(5) A Sacramento, Calif., Community Council project to rehabilitate youths as staff and volunteers in a program to keep youth away from crime. This program cost \$40,000 in FY 1971.

(6) Through the Monterey, Calif., program, a prisoner rehabilitation program, meetings for young probationers, petty larceny offenders, and their families and offenders' parents. FY 1971 cost \$10,000.

(7) A Seattle-King County program to help ex-felons re-enter society through a community bureau for young minority offenders. The program provided \$25,000.

which ex-addicts conduct seminars.  
(3) Volunteers in Service to America (VISTA), an OEO program in FY 1971 before transfer to the ACTION office in FY 1972, placed volunteers in an esti-



**Legal services.** The legal service network of OEO handled approximately 170,000 juvenile matters in 266 programs in FY 1971. Handling is limited by section 222 of the Economic Opportunity Act to proceedings where adjudication will not mean conviction for a crime.

The Harvard University Center for Law and Education, supporting local legal service offices, acted as co-counsel in student rights cases.

In Dayton, Ohio, the Center for the Study of Student Citizenship, Rights and Responsibilities handled student rights cases, launched a parent ombudsman program in local schools, and cooperated with State, city, and University of Dayton officials in developing programs.

The National Juvenile Law Center at the St. Louis University School of Law in Missouri undertook some case work, in addition to several other activities which will be mentioned later in this essay.

**Other programs.** Several other programs identified by the Interdepartmental Council, although not necessarily mentioned in other chapters of this annual report, are:

(1) A \$3 million National Youth Sports Program each year sends some 35,000 disadvantaged 10- to 18-year-olds to universities and colleges for summer athletics and instruction in nutrition, health, drug abuse prevention, study habits, and career opportunities. Spending time with college athletes and teachers is a major thrust of this program, which is administered by the Department of Health, Education, and Welfare for OEO.

A drop-in center funded by the Department of Health, Education, and Welfare provides delinquency prevention and treatment services.

inated 1,000 projects serving both disadvantaged young people and delinquents through educational, recreational, vocational, and counseling services.

## Community-Based Treatment

The Federal strategy of delinquency prevention is to offer rewarding alternatives to delinquent behavior. Federal strategy of community-based treatment is to offer constructive alternatives to institutional treatment or judicial probation and to provide personalized treatment tailored to individual needs.

Commitments to institutions "for the large bulk of offenders, particularly the youthful, the first or minor offender . . . can cause more problems than they solve . . . increasing the probability that the label of criminal will be indelibly impressed upon them," according to a report of the President's Commission on Law Enforcement and Administration of Justice in 1967.

The Youth Development and Juvenile Delinquency Prevention Administration, in its own Annual Report of Federal Activities in Juvenile Delinquency, Youth Development, and Related Fields, said in March 1971 that "the majority of youth continue to be apprehended for 'minor' crimes and a significant number are arrested for actions which, if committed by an adult, would not be considered criminal," such as "truancy, ungovernable behavior and similar activities."

Community-based treatment keeps the offender in his community. It assesses his needs—psychological, educational, social, vocational, residential—and tries to meet them. Much coordination and development of community services are required. A concept called the Youth Services System, existing at the community level, is being designed to perform this coordination.

## Youth Development and Delinquency Prevention Administration

Ideally, the Youth Services System concept fashioned by the Youth Development and Delinquency Prevention Administration (YDDPA) would coordinate prevention and treatment in the community, recognizing that the difference between the predelinquent and the youth caught in a delinquent act is often negligible.

This reasoning is behind YDDPA's budgeting of 10 times as much for prevention as for rehabilitation in FY 1971. The 18 community-based rehabilitation projects, for which \$634,256 was spent, stressed supportive services to youths enmeshed in the criminal justice process, whether during probation or after institutional release. They offered both residential and nonresidential treatment.

An Alaskan project called Partners used volunteers one-to-one with young probationers to neutralize community rejection and intensify services.

REACT, a drop-in center in Richmond, Va., receives referrals from clients' friends and peer group members, as well as from schools, juvenile court, and community agencies. It stresses comprehensive help and individual treatment. REACT has an active youth advisory council.

The Youth Services System concept is at work in 12 suburbs west of Chicago. The MacNeal Memorial Hospital Community Crisis Center in Berwyn, Ill., handles suicide attempts, runaways, first-offense police station adjustments, and other problems. Full community support is evidenced by the range of sponsors offering legal, medical, and social services to referrals.

## Law Enforcement Assistance Administration

Treatment in the community through group homes, foster homes, and court-diversion projects is emphasized by two programs administered by the Office of Criminal Justice Assistance of LEAA. They are:

(1) Cleveland, Ohio. A diversion project begins at the youth's earliest contact with the criminal justice system in

Mex., and Charlotte, N.C. These bureaus treat in the community, offering services ranging from temporary residential care to mobilization of community sources. (Pilot Cities have been selected by LEAA for special funding to demonstrate how across-the-board savings can be made in crime reduction.)

The Boston Housing Authority has used a grant for a teen drop-in center, where a social worker and two senior law students counsel who have had trouble with the law.

An "Alternate Routes" project in California is opening community services, steering juveniles clear of courts into informal probation programs, and developing projects for predelinquents.

## Bureau of Prisons

Residential Community Treatment Centers (CTCs) created by the Bureau of Prisons, part of the Department of Justice, were authorized for Federal probation and parolees early in FY 1971. The Congress authorized the move in a new law (P.L. 91-492).

Fifteen of these CTCs are planned; the ninth is in Dallas, Tex., in February 1971.

Parolees and mandatory releasees volunteer to attend CTC nearest their home 1 to 4 months before release. The idea is to smooth their transition back into the community.

A study of 205 Youth Corrections Act (YCA) inmates involving CTCs showed a success rate of 53 percent compared with a 47.7 percent success rate among inmates in a 1961 study. The CTC YCA population had a higher high-risk offenders than the general YCA population.

## Office of Economic Opportunity

Operational projects. Four OEO operational projects in FY 1971 provided community-based treatment for offenders. The total expenditure was \$116,340, of which \$70,000 were:

(1) Paterson, N.J. A Probation Project for juveniles and adult probationers provided jobs, activated community services, and used paraprofessionals based in a neighborhood probation center to help the probationers and locate juveniles who needed the same help. The project was a model for the rest of the State.

(2) Long Beach, Calif. Academic Halfway House offered counseling and support to ex-convicts who were going to college. Its FY 1971 allocation was \$20,000.

(3) Birmingham, Ala. Members of the Family Development Project staff on neighborhood assignment gave counseling and outreach help to delinquents and their families. The project was on high-risk neighborhoods. Jointly funded



Counselor (center) meets with young patients at the Federal Drug Hospital, Lexington, Ky.

LEAA, this program received \$90,000 from OEO in FY 1971.

(4) Portsmouth, Ohio. Volunteers assisting a police cadet program worked with 12 delinquent young people for 11 weeks to acquaint them with police duties. Funding was \$1,248.

**VISTA.** Volunteers in Service to America (VISTA) placed volunteers in the following projects in FY 1971 (VISTA was transferred from OEO to the ACTION office in FY 1972):

- ☐ San Francisco, Calif. The Real Alternatives Program provided a youth center with a full range of services as well as a corps of part-time "big-brother" and "big-sister" volunteers for juvenile offenders.
- ☐ Denver, Colo. VISTA Volunteers worked with probationers and releasees from the Golden Gate Youth Camp, their families, and inmates.
- ☐ Kansas City, Kans. The courts referred juveniles to Turner House for recreation, tutoring, and counseling.
- ☐ Baltimore, Md. VISTA Fellows at the University of Maryland School of Social Work gave juvenile ex-offenders social welfare guidance.
- ☐ Chicago, Ill. VISTA workers counseled youth groups and juvenile ex-offenders.

Affairs, Department of the Interior.

These centers, in the Arizona communities of Salt and Gila River, each had approximately 50 delinquent boys and girls in 1970.

A halfway house operated by the Pine Ridge (S.D.) Tribal Community provides Indian Health Service treatment to both delinquents and predelinquents.

The BIA began the Indian Offender Rehabilitation Project in FY 1971 with a pilot program developed by Georgetown University with nonprofit Indian organizations in seven States. Benefiting both adults and juveniles, the program used Indian coordinators to work with the offender and his case worker in prerelease planning to reintegrate the offender into his community.

## Institutional Treatment

Federal involvement in juvenile corrections began in 1934 when Congress enacted the Juvenile Delinquency Prevention Act, which covers persons under 18 who commit Federal offenses.

**Provisions.** The act authorized the kind of informal procedures and indeterminate commitments that were characteristic of State juvenile courts of the time, as shown in *Thirty Years of Federal Progress*, a Bureau of Prisons publication.

Now, commitment to the Attorney General's custody under the act may last until the offender reaches 21. The commitment may be for a definite term, but in no case may commitment exceed age 21 or the maximum term allowable under adult procedures for the same offense.

The accused person must consent to juvenile proceedings, rather than criminal proceedings, and he must do it in person before a Federal district court judge, thereby waiving his right to a trial by jury. He must also be informed of his rights.

When a youth under 18 is arrested and accused of a Federal violation, the arresting officer must notify the Department of Justice immediately. The juvenile must be detained no longer than necessary to appear before a committing magistrate; he may not be lodged in an adult jail, but he may be placed in a suitable juvenile facility. The only way to insure his custody or the safety of others. Separate jail facilities must be given juveniles if available.

**Youth Corrections Act.** Federal juvenile law was revised by the Youth Corrections Act of 1950. The act provides for commitment of Federal offenders under 22 to a determinate term up to 6 years or up to the maximum sentence authorized by Federal law for the offense. The Youth Corrections Act and the Juvenile Delinquency Prevention Act are administered by the General Crimes Section of the Criminal Division of the Department of Justice.

Parole under this act may come any time. It is mandatory at least 2 years before the sentence expires. A parolee with an especially successful record of adjustment to parole may have his conviction set aside by the Board of Parole when it discharges him.

The \$1,965,800 spent for this purpose was authorized by the Manpower Development and Training Act, which is jointly administered by the Bureau of Adult, Vocational, and Technical Education of the Office of Education.

## Bureau of Indian Affairs

The Southwest Indian Youth Center at Tucson, Ariz., provides treatment, education, and vocational training to Indian youths from 10 to 18 who have been adjudged delinquent in tribal, State, or Federal courts.

## Social and Rehabilitation Service

The Rehabilitation Services Administration offers remedial education, vocational training, and job placement to delinquents in institutions.

Presentence and post-release services were also provided.

The Rehabilitation Services Administration is part of the Social and Rehabilitation Service of the Department of Health, Education, and Welfare.

## Research and Training

Research into prevention and treatment of juvenile delinquency is being conducted under broad Federal sponsorship as a vital part of implementing new strategy and evaluating current methods. Moreover, as new techniques evolve, they must be passed along to professionals and disseminated into the field through training programs.

## National Institute of Law Enforcement and Criminal Justice

As part of the LEAA delinquency research program, budgeted at more than \$1.6 million in FY 1971, the National Institute of Law Enforcement and Criminal Justice sponsored a number of projects. Examples are:

(1) Louisville, Ky. A multiyear study in the public schools, when complete, will evaluate how effectively new approaches and educational reforms prevented or reduced delinquency. Methods are being developed and evaluated to measure amounts and kinds of delinquent behavior, reverse elementary school delinquency, stimulate positive behavior in junior high school predelinquents and delinquents, and produce delinquency control and prevention models for school systems.

(2) Philadelphia, Pa. A study of juvenile adult crime aims to determine why, how, and persons (and not others) do or do not choose behavior.

(3) Tucson, Ariz. The University of Arizona is analyzing peer group influence on the specific crimes, distinguishing role, usually from group or group influenced crimes.

Two juvenile justice grants include one to the Federal Administration to learn develop for juvenile justice and one to Boston University to expand Boston's juvenile court.

## Youth Development and Delinquency Prevention Administration

In FY 1971, the Youth Development and Delinquency Prevention Administration funded 13 grants totaling \$1.6 million and 24 research and training grants totaling \$1.4 million.

**Training.** The bulk of the training grants cover short-term workshops and seminars for professionals working or seeking to work as professionals in related areas and for volunteers such as youth.

Smaller amounts were used for developing and training materials and for training university students to enter the field.

**New techniques.** Some research and training were aimed at developing new techniques and experimental projects, such as a Court project in New York City, in which it works with high school students as vocal counselors, following through with their own interested students.

**Technical assistance.** Technical assistance universities and one contractor focused on and community projects funded under the develop a major aspect of the future national. The coordinated network of delinquency terms, including an overall evaluation plan.

## Bureau of the Census

The Law Enforcement Assistance Administration into interagency agreements with the Census for a National Juvenile Detention



tional Facilities Census to begin in September 1971. Planning for the census was completed in FY 1971 to include an estimated 750 residence facilities, covering the whole range from halfway houses to training schools.

Other IEAA-supported census projects gathering data on jails, courts, and criminal justice agencies turned up a number of interesting juvenile statistics. For example, the National Jail Census revealed that on March 14, 1970, two-thirds of the 7,800 juveniles being held in local (not State or Federal) jails were pretrial detainees or otherwise not convicted of an offense. Of the 4,037 jails in the survey, 765 are authorized to hold juveniles serving a sentence of 1 year or less, and 67 may hold those serving longer sentences.

## Office of Economic Opportunity

The Legal Services Program of OEO funded two research and demonstration grants in FY 1971. The Center for Correctional Justice tries to evolve nonjudicial settlement methods for grievances of the 14- to 25-year-olds in the District of Columbia Youth Center.

The National Juvenile Law Center at the St. Louis University School of Law gives technical assistance and research support for legal service projects. In FY 1971, the Center prepared a juvenile law training manual and a handbook, developed a Model Juvenile Procedure Code for adoption by the Missouri Association of Juvenile Judges, conducted training programs, and studied California and Washington State probation subsidy programs.

## Office of Education

The Bureau of Educational Personnel Development (BEPD) funded three regional centers in FY 1971 with a total of \$336,000 to train and retrain the staff of institutions for neglected and delinquent children. The centers are at Raleigh, N.C.; Edwardsville, Ill.; and Boulder, Colo. These centers began training programs at 24 institutions in 16 States.

BEPD also funded five Teacher Corps projects to train teachers in corrections in FY 1971, at a total cost of \$1,070,000. Two of the projects were new: one at the University of Southern California and one at the University of Oregon.

The Bureau of Adult, Vocational, and Technical Education provides research and development grants to State boards of vocational education for delinquency rehabilitation projects. The Bureau reported \$2.5 million in delinquency-related FY 1971 spending.

## National Institute of Mental Health

Of six areas of crime-related research funded by the Center for Studies of Crime and Delinquency in the National Institute of Mental Health (NIMH), part of the Department of Health, Education, and Welfare, one area was primarily concerned with juveniles: increasing and strengthening the use of community-based programs as alternatives to institutionalization. The 14 FY 1971 projects totaling \$1,354,569 undertook such activities as the evaluation of corrective behavior modification techniques in a community-based halfway house and a recreation experiment in an urban poverty area.

Projects in the other five areas also included many juvenile studies into such areas as parental problem drinking as it affects adolescent behavior, childhood emotional disorders, intervention in the homes of predelinquent boys, predictive sentencing of habitual juvenile traffic offenders, assessment of "unofficial" juvenile probation practices, and the effects of film violence on delinquents. NIMH training programs in delinquency-related fields included diagnostic, treatment, prevention, and casework personnel.

## Office of Child Development

Established in 1959 under the Office of the Secretary of Health, Education, and Welfare, the Office of Child Development uses part of its research and demonstration funds on delinquency-related projects, monitors youth development programs nationwide, and provides technical assistance to youth programs.

FY 1971 funds obligated in this area totaled \$131,462.

## Office of Research and Demonstration

Another source of research and demonstration funds, this one focusing on improved services to the handicapped and disadvantaged, is the Office of Research and Demonstration in the Social and Rehabilitation Service of the Department of Health, Education, and Welfare.



In 1971, President Nixon convened the National Conference on Corrections at Williamsburg, Va., to examine the current state of corrections and explore ways and means to improve the Nation's system of prisons, jails, probation, parole, and rehabilitation.

He told the delegates: "Our prisons are still colleges of crime, and not what they should be—the beginning of a way back to a productive life within the law."

The conference was the first such national meeting on corrections in 100 years. More than 300 State and local leaders in criminal justice, public and private organizations, business, labor, and legislatures were told by the President:

"To turn back the wave of crime, we must have more effective police work, and we must have court reform to ensure trials that are speedy and fair. But let us remember that the protection of society depends largely on the correction of the criminal."

In other addresses, Federal officials told delegates that more had been accomplished under the President's leadership in the field of corrections than at any other period in the Nation's history. But it also was stressed, as the President had done, that even greater efforts had to be made.

This essay is about the broad field of corrections, and it discusses what the Federal Government is doing to bring about change and reform.

Many innovative programs and activities now are being implemented through Federal efforts:

- ☐ A growing number of State and local correctional systems, at Federal urging and with Federal assistance, are developing alternatives to incarceration—including community-based centers and halfway houses—to keep and strengthen ties of the offender to society;
- ☐ Decrepit State and local prisons and jails are being improved and made more liveable by special grants from the Law Enforcement Assistance Administration (LEAA), part of the Department of Justice;
- ☐ Young Federal offenders at a special center are learning to earn points for achievement; and
- ☐ Federal prisoners addicted to drugs are receiving special treatment in preparation for their return to society as nonusers of drugs and are provided post-release supportive services.

The Federal corrections system is a small part of the overall national corrections structure. Most jails and prisons are operated by States and localities. Thus, States and localities have the jurisdiction and responsibility for most offenders—those incarcerated and those on probation and parole.

Under President Nixon, the Federal Government has developed an unprecedented program of financial assistance for State and local corrections systems, and extensive technical assistance resources have been offered as well. In addition, under a Presidential directive, a large-scale and long-range program has begun to improve the Federal corrections system.

## Williamsburg Conference

At the Williamsburg Conference, in addition to receiving a message from the President, the delegates were addressed by the Attorney General and by the Chief Justice of the United States.

Attorney General John N. Mitchell called for establishment of a National Corrections Academy to serve as a center for learning, research, executive seminars, and development of correctional policy recommendations; of a National Clearinghouse for Criminal Justice Architecture, described in detail later in this essay; and of a National Clearinghouse for Correctional Education, to provide technical assistance to correctional agencies in developing inmate educational programs.

All three projects were promptly set in motion.

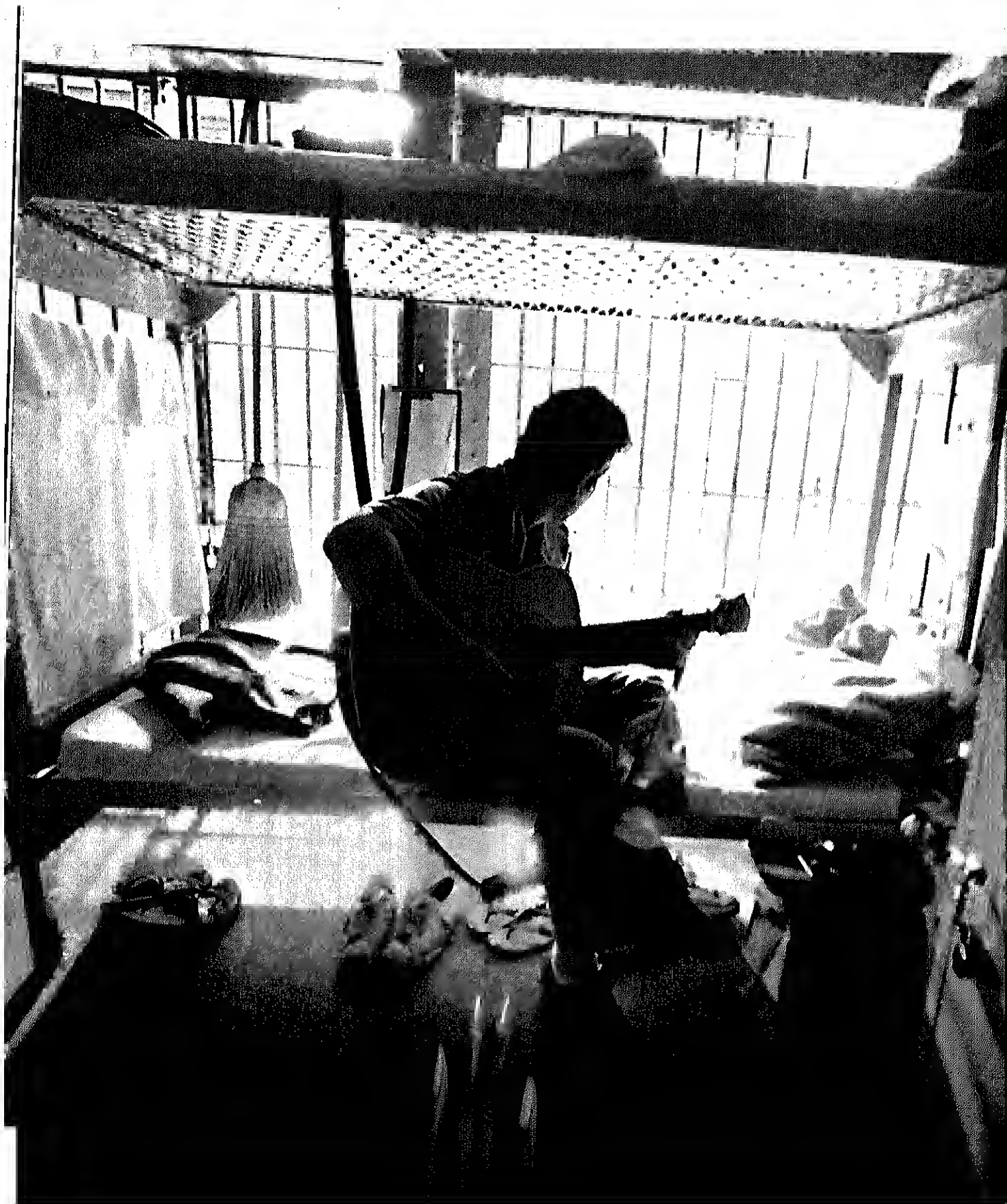
The Attorney General also called for increased employment of minority group members among correctional personnel, and he criticized the "appalling resistance to hiring ex-offenders, even by many governmental agencies at different levels." He added that it was a matter for individual States to determine if they should repeal their laws prohibiting the hiring of ex-offenders.

Chief Justice Warren E. Burger said the Conference could be "one of the milestones in American correctional history."

He cited lack of educational programs for inmates as the greatest failure in the Nation's prisons. "The percentage of inmates in all institutions who cannot read or write is staggering," he said. "Another, and largely overlapping category, is made up of those who have no marketable skills on which to base an even minimally successful life."

**Recommendations.** Preliminary recommendations of the Conference included these:

- ☐ Correctional institutions should be more open to public scrutiny and the institutions should better inform the public of practices and problems;
- ☐ Maximum consideration should be given to the individual treatment and rehabilitation needs of the offender;



- work; and
- ☐ Civil rights of offenders should be codified in all detention and corrections systems.

## Presidential Directive

On November 13, 1969, President Nixon issued a 13-point directive to the Attorney General on the issues of corrections and prisoner rehabilitation.

"Nineteen out of every 20 persons who are sent to prison eventually return to society," the President said. "What happens to them while they are in confinement is a tremendously important question for our country."

The President noted that 40 percent of all offenders return to prison sometime after their release, and that among young offenders the rate of recidivism was even higher.

"A Nation as resourceful as ours should not tolerate a record of such futility in its correctional institutions," the President said. "Clearly, our rehabilitative programs require immediate and dramatic reform."

The President directed the Attorney General to effect this reform by marshaling all available resources in the Department of Justice to improve corrections at all levels—Federal, State, and local.

Specifically, the directive ordered the following actions by the Federal Government: development by the Attorney General of a 10-year plan for corrections reform; coordination by the Attorney General of all corrections programs on the Federal level; increased Federal aid in the form of financial and technical assistance to the States; expansion of innovative programs such as use of halfway houses; development of special programs for juveniles; and concentrated research on legal and medical problems involving mentally ill offenders.

As a result of the President's directive, an Interagency Council on Corrections was developed. The Bureau of Prisons and the Law Enforcement Assistance Administration (LEAA) were assigned the responsibility for coordinating the efforts of the Council's members to assist in the correctional field.

The Congress responded to the President's request for more Federal aid to State corrections systems by authorizing a new part E to the Safe Streets Act, permitting LEAA to award grants to States for construction of new corrections facilities and other priority projects.

Details on these developments follow later in this essay.

**Studies.** Efforts to reform the Federal and State corrections systems have drawn on several significant studies in recent years.

In 1967, the corrections task force of the President's Commission on Law Enforcement and Administration of Justice published a series of recommendations.

Another important study was that of the Joint Commission on Corrections Manpower and Training, the report

To continue this national study of corrections, a task force of the National Advisory Commission on Criminal Justice Standards and Goals will set further goals and priorities in the corrections field. The Commission, funded by LEAA, was established in 1971.

## Bureau of Prisons Leadership

The Federal Bureau of Prisons has provided national leadership in corrections, developing and implementing innovative programs and assisting States in adapting successful programs to their own uses.

Among current innovative efforts of the Bureau are the following:

**Drug programs.** Under a new law signed in 1972, the Bureau is authorized for the first time to provide after-care services to all offenders in its drug programs. Before, such services were limited to offenders qualifying under the Narcotic Addict Rehabilitation Act of 1966 (NARA).

The Bureau now has 12 drug rehabilitation programs in operation, five under NARA and seven others for addicts not meeting the requirements of the act. One-third of all persons committed to Federal corrections institutions have a history of drug usage.

**Minority hiring.** The Bureau has embarked on a minority hiring program, in an effort to achieve racial balance between its staff and inmates. A goal has been established to hire one-third of all new employees from minority groups. In the first 7 months of the program, 37 percent of the new employees hired were from minority groups.

**Prisoner rights.** The Bureau has initiated new policies on prisoner rights. It has expanded the legal reference library at each institution, and has provided all inmates with a written copy of institution rules and a statement of prisoner rights and responsibilities.

In another move, the public defender for the U.S. judicial district containing the Medical Center for Federal Prisoners at Springfield, Mo., assigned a full-time assistant in 1971 to aid prisoners held at the center with their legal problems.

**Prisoner classification.** The Bureau has developed a new system for classifying its prisoners at the beginning of their sentences. Its purpose lies in the recognition that the rehabilitation needs of every prisoner are not the same. The system sets correctional goals for each prisoner based upon his personal needs.

## Offenders and Ex-Offenders

A major aim of current innovative corrections programs has been to get offenders out of prison and into community-based programs. Efforts by the Federal Government to implement this goal have taken a number of forms.

One form has been pretrial intervention for first offenders—keeping the first offender out of prison and giv-

Yet another form, for offenders already in prison, is study-release, which is training in cooperation with community colleges or technical institutes and universities, offering both basic and higher education and vocational skills. Some programs pay trainees a stipend or offer on-the-job training opportunities.

Many efforts are being expended to humanize existing prisons and improve the design of new ones, but the ultimate aim in the most progressive correctional thinking is to use community-based programs as alternatives to confinement whenever possible.

Other efforts are being made to improve the chances of the ex-offender to make a successful adjustment to his community. Among these are personal counseling, the use of paraprofessionals who are often ex-offenders themselves, halfway houses with work-release arrangements, bonding ex-offenders in new jobs, and encouraging the private sector to hire ex-offenders in quality jobs with chances for advancement.

Research is being done on the causes of criminal behavior and new and better ways of rehabilitating offenders. Research results are used to design new programs with new approaches and to improve existing programs.

**Incentives for young offenders.** Young Federal offenders at the Robert F. Kennedy Youth Center in Morgantown, W. Va., are exposed to a new approach to rehabilitation. It involves a carefully fashioned system of rewards and punishment for behavior and achievement. Proper behavior and sound achievement are rewarded and undesirable behavior is discouraged through loss of privileges and other appropriate measures.

Youths are first diagnosed and then matched to staff and programs most likely to succeed in dealing with them.

Students help set time limits for achieving concrete goals in work, study, and cottage living. This approach thwarts their tendency to avoid responsibility for their own futures and gives them realistic experience in self-assessment.

In a token economy, students earn weekly points and immediate bonuses which are keyed to their progress and awarded to them by staff members. They are fined for undesirable behavior on a scale commensurate with the responsibilities they have undertaken. They may spend a percentage of their points or paychecks and all of their bonuses on snacks and recreation.

When they are promoted to a higher class they may purchase better living quarters and personal clothing to replace institutional clothing. Promotion from trainee to apprentice and then to honor class brings proportionately not only more privileges and higher pay, but also more responsibility and higher fines.

Each student has the same opportunity to earn an equal number of points per day. Money from outside sources may not be spent; students may spend only what they earn. Students' success in living within their budgets is viewed as one indication of their readiness for release.

The combination of both immediate and delayed rewards and punishments is aimed at giving the students positive experiences that will transfer to the community.



Robert F. Kennedy Youth Center, Morgantown, W. Va.

Treatment stresses individual counseling and personal attention.

## Federal Roles in Corrections

The Federal Government assumes a number of roles in the area of corrections. In one area, it operates the tiny small Federal prison system. But in the much larger area of State and local corrections, the Government provides large-scale financial and technical assistance.

Brief descriptions follow of the various roles the Federal Government assumes. Fuller descriptions are contained in the remainder of this essay, and background details are provided in the chapters in this report on department or agency involved.

**Custody.** One basic Federal role in corrections is that of custodian of more than 22,000 inmates convicted of Federal crimes.

The agency responsible for the care of these offenders is the Bureau of Prisons, part of the Department of Justice. It is the custodian of all prisoners under the supervision of the Attorney General. Inmates are housed in penitentiaries, correctional institutions, reformatory camps, community and youth centers, and other facilities that comprise the Federal Prison System.

The Federal Government is also responsible for probation, parole, and transport of Federal offenders.



Probation counselor meets with offender.

The Federal Probation Service, which is under the supervision of the Administrative Office of the U.S. Courts, is responsible for the supervision of all persons on Federal probation, parole, or mandatory release. It serves all U.S. district courts and makes recommendations to the courts on the sentencing of individual offenders.

Transfer of Federal prisoners between court and prison is the responsibility of the U.S. Marshals Service of the Department of Justice.

**Assistance.** Financial and technical assistance to State and local correctional systems is a second major responsibility of the Federal Government.

The two agencies involved in these efforts are the Bureau of Prisons and the Law Enforcement Assistance Administration (LEAA), both part of the Department of Justice.

development of Metropolitan Correctional Centers to replace the traditional urban jails. The Bureau also is concentrating on the expansion of halfway houses as community treatment centers.

Bureau of Prisons officials work directly with LEAA regional offices to provide further technical assistance to the States. This aid is intended primarily for jail planning and the development of corrections programs.

Financial assistance in increasing amounts is available to States from LEAA in several forms. LEAA administers the grant program established by the Omnibus Crime Control and Safe Streets Act of 1968. Through this program, States receive funds to develop comprehensive plans to improve their criminal justice systems, including their correctional systems; they receive block grants of funds to implement those plans; and they may receive discretionary grants from LEAA to fund meritorious projects which otherwise would go unfunded. States pass on a predetermined percentage of their block grants to local law enforcement and criminal justice agencies.

In FY 1971, LEAA provided \$529 million to the States, of which \$177.6 million went for improvement of correctional systems.

In FY 1971, the Congress established, at the President's request, a new program, called the "part E" program after its authorizing legislation, to provide even more financial assistance to State and local correctional systems. LEAA has implemented that legislation, which is intended primarily for supporting construction and improvement of State correctional facilities which are community-based, rather than institutions which are located in remote areas. The purpose of this emphasis is to encourage States to utilize local resources as part of their corrections systems.

LEAA provides technical assistance for designing facilities for corrections and staff training. It is developing studies that evaluate and compare the effectiveness of various corrections programs.

LEAA also sponsors conferences and institutes for local corrections officials.

**Research.** Federal research activity in the area of corrections is divided primarily between the Center for Studies of Crime and Delinquency, part of the National Institute of Mental Health (NIMH) of the Department of Health, Education, and Welfare (HEW), and the National Institute of Law Enforcement and Criminal Justice, part of LEAA.

The National Institute has entered into interagency agreements with the Bureau of the Census for conducting census projects concerning jails, jail inmates, and juvenile detention and correctional facilities, and with the National Bureau of Standards for the establishment of the Law Enforcement Standards Laboratory.

The Institute's correctional research program in FY 1971 concentrated on establishing performance standards for evaluating both the programs and the components of the correctional system, including community-based programs. Three conferences were held on aspects of these subjects in FY 1971.



In FY 1971, narcotic treatment was largely shifted from NIMH Clinical Research Centers at Lexington, Ky., and Fort Worth, Tex., to more than 150 community treatment agencies. In October 1971, the transfer of the Fort Worth facility to the Bureau of Prisons was completed for Bureau use in treating incarcerated addicts as well as some alcoholic, medical, and geriatric cases.

Rehabilitation programs of the Bureau of Prisons aim at inmates' achieving sixth-grade reading level, a high school diploma for those of average intelligence, a marketable skill, and a solid prospect of getting and keeping a job. Prison training may range from factory, construction, automotive, and food-handling skills to computer programming, data processing, and health services.

Under the Manpower Development and Training Act, the Department of Labor in cooperation with the Office of Education (OE) in HEW, conducted 48 inmate vocational training projects in 33 States in FY 1971, totaling more than \$6 million. Basic and remedial education was offered along with counseling, job development and placement, and follow-up services. The Department also provided bonding for ex-offenders, sponsored eight pretrial intervention projects, and began developing a State model for comprehensive correctional manpower services.

An experimental education program for inmates called Project NewGate received more than \$1.1 million from the Office of Economic Opportunity (OEO) at six correctional institutions in FY 1971. OEO employment programs also assisted ex-offenders.

The Office of Education provides vocational, library, and educational programs and services to correctional institutions.

**Training correctional manpower.** Attracting qualified undergraduates to the corrections field and upgrading the training of existing corrections personnel are dual purposes of the LEAA Law Enforcement Education Program (LEEP). Institutions of higher education award LEEP grants and loans to in-service students, of which 14 percent were corrections employees in FY 1971, and to pre-service students.

NIMH training projects for correctional personnel were oriented largely towards psychiatry, psychology, psychiatric nursing, and social work. Training included field work in correctional institutions.

A project to establish a national center for correctional learning was announced by the Attorney General at the National Conference on Corrections in Williamsburg, Va., in December 1971. Plans for the center, called the National Institute of Corrections, are being developed by the Law Enforcement Assistance Administration and the Bureau of Prisons, aided by an Advisory Panel. The first results of their efforts will be two Summer Institutes for Criminal Justice Executives, to be held this year.

OE programs trained personnel to work with both delinquents and adult prison inmates in basic and remedial education as well as vocational education, and new curricular materials for corrections training were tested.

## Federal Correctional Activities

The remainder of this essay describes in fuller activities of the Federal departments and agencies that have a role in the corrections field.

Some of these offices devote only a part of their programs to corrections, while others expend large portions of their total funds and resources in corrections.

Federal activities in corrections are:

- ☐ In the Department of Justice: The Bureau of Prisons, which has custody of Federal prisoners; the Law Enforcement Assistance Administration, which awards grants for corrections facilities and for research; the U.S. Board of Parole, which sets parole for Federal prisoners.
- ☐ In the Department of Labor: The Manpower Development and Training Administration, which funds vocational training.
- ☐ In the Department of Health, Education, and Welfare: The Office of Education, which provides vocational and educational services; the National Institute of Mental Health, which trains personnel and conducts research on delinquency and criminal behavior; and the Youth Development and Demonstration Prevention Administration, which has programs to improve the juvenile justice system and reduce delinquent youths.
- ☐ In the Department of Commerce: The Bureau of Economic Census, which gathers data on corrections; and the National Bureau of Standards, which develops performance standards for correctional facilities.
- ☐ In the Executive Office of the President: The Office of Economic Opportunity, which funds vocational training and counseling programs.
- ☐ And in the judiciary: The Federal Probation Department, part of the Administrative Office of the United States Courts, which supervises Federal probation.

## Bureau of Prisons

As administrator of the Federal prison system, the Bureau of Prisons has custody of all offenders whom the courts have assigned to the Attorney General for supervision. It is the only nonmilitary Federal office responsible for both keeping and rehabilitating prisoners.

At the end of FY 1971, the Bureau had custody of 21,410 offenders. They were quartered at 10 institutions, ranging from traditional penitentiaries (of which there are six) to newly designed treatment centers and reformatories. These facilities are at 38 locations.



Federal Reformatory for Women, Alderson, W. Va.

Federal prison inmates represented about 5 percent of all the prison population of the United States in 1971.

Through budget increases and program innovations in recent years, however, the Bureau today has greater impact on the correctional processes at State and local prisons as well.

**Mission.** These correctional efforts are an extension of the mandate that Congress gave the Bureau of Prisons in 1930.

In that year the Bureau was established through the consolidation of seven independent Federal institutions. Congress ordered the Bureau to develop a corrections program that would rehabilitate all prisoners in its care.

Thus began the evolution of the Bureau of Prisons from seven traditional prisons to a large complex, which includes community treatment centers, youth centers, and other special facilities.

**Master plan.** The expansion of the Bureau is being increased through the comprehensive, 10-year master plan, which it developed in 1970.

States and localities, in the form of information and technical assistance.

The 10-year plan departs from traditional approaches by providing a full range of services, tailored to meet the needs of different types of offenders. In some cases, new institutions will be devoted to one specific purpose, while others will have several distinct but specialized missions.

Each new institution will be limited to a total of 500 inmates to enable the Bureau to provide more individual treatment. These institutions will be situated in or near a metropolitan area, so that maximum use can be made of local community resources in work release and other programs.

The elements of the 10-year plan include: construction of new facilities to house special services; increased emphasis on training professional corrections staff; development of correctional programs relevant to the needs of a changing society; more research into criminal behavior and the means to correct it; and expansion of technical assistance to State and local correctional systems.

**Training for jobs.** A key element of corrections is training inmates for jobs after release. If released from prison without having acquired a marketable skill, an inmate may turn again to crime.

Eighty-five percent of the inmates in the Federal prison system have no job skills, and 10 to 15 percent are illiterate. Between 90 and 95 percent have never completed high school.

The Bureau has determined, however, that the great majority of its inmates are prepared for more learning. Some 77 percent of all inmates fall within the average range of intelligence.

To help these individuals fulfill their potential, the Bureau is emphasizing education and vocational training programs. Its goal is to have all inmates reading on at least a sixth-grade level upon release. Inmates with average intelligence are to complete a high school diploma program. Each released inmate is to have a marketable skill and a good prospect of long-term employment.

Currently, two-thirds of all Federal inmates are receiving some kind of education. This includes literacy training, elementary and secondary studies, and work in General Education Development (GED).

In FY 1971, more than 2,100 inmates passed the GED test, making them eligible for a certificate equal to a high school diploma. An additional 800 inmates took college-level courses.

Vocational training is also emphasized, with 4,200 offenders enrolled in full-time programs.

There are 122 vocational programs available. All of the Federal penal institutions have some training programs, particularly for youths and young adults. Courses most frequently offered are in welding, auto and engine repair, machine shop, building trades, masonry, and food services.

Some institutions are also providing specialized technological training.



Bureau of Prisons staff training center, El Reno, Okla.

These programs include computer programming at the Leavenworth, Kan., penitentiary; automated data processing at the women's reformatory in Alderson, W. Va.; and health service training at the medical center for prisoners in Springfield, Mo.

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employees and will give in-service training to current members. The centers will work closely with the National Institute of Corrections in providing training for and local prison officials in addition to Bureau employees.

The Bureau is working with LEAA to provide assistance to the correctional programs of State and local governments. Bureau officials have been assigned to one of the 10 LEAA regional offices. These offices are primarily in jail planning and program development.

**Community treatment centers.** An important feature of the Bureau corrections effort is the counseling of prisoners during the 3-month period before their scheduled release or parole.

The Bureau began this effort in 1961 with the establishment of nine community treatment centers. Another six centers are planned.

These centers, sometimes called halfway houses, are located in metropolitan areas. They give guidance and counseling to inmates who reside under supervision in the centers, but work or study in the surrounding community.

The program was expanded after the passage of the Federal Prisoner Rehabilitation Act of 1965. This act authorized work and study release programs, in which 8,000 Federal inmates have participated. Approximately 1,500 inmates receive services from the centers each year.

In FY 1971, the Bureau was authorized to extend community treatment services to probationers and parolees. This will make still more inmates eligible for the program.

To extend community services to as many Federal inmates as possible, the Bureau is contracting with State and local jurisdictions to take Federal inmates into their correctional programs.

This applies principally to inmates in areas distant from a Federal center. The Bureau in FY 1971 had contracts with 61 correctional and other facilities in 41 cities to provide these community services to 500 inmates. Such contracts provide for services covering an entire State.

**Metropolitan correctional centers.** Traditionally, city and county jails have served as temporary holding facilities for persons awaiting trial or sentencing. Often, these jails are overcrowded, have poor sanitary conditions, and fail to separate youths from adults, or persons charged with misdemeanors from others charged with serious crimes.

In FY 1971, the Bureau made plans for construction of eight metropolitan correctional centers. The Bureau intends that these centers become national models for replacing the jail system.

The first of these centers, which will be located in a metropolitan area showing the most need, will open in New York City, near the U.S. District Court in Foley Square. Other centers are planned for Chicago, San Francisco, San Diego, and the greater Philadelphia area.

When completed, these multipurpose centers will have facilities to serve various types of offenders, including inmates held for short terms before and after sentencing.

To help them, the Bureau is developing plans for a new Federal Center for Correctional Research. When completed, it will serve as a treatment center, as a research institute, and as a staff training center for prison officials working with emotionally and mentally disturbed offenders.

The Institute will be located at Butner, N.C., a prime location because of its proximity to universities with medical schools and graduate programs in the social sciences. The Bureau plans to develop cooperative efforts with these schools.

In FY 1971, the Bureau opened its fifth institutional center for treatment of narcotics addicts under the Narcotic Addict Rehabilitation Act (NARA).

The new center was located at La Tuna, Tex., but has since been moved to a new Bureau facility at Fort Worth, Tex. Four others are at institutions in Danbury, Conn.; Terminal Island, Calif.; Alderson, W. Va.; and Milan, Mich.

Under the act, courts are permitted to assign to the custody of the Attorney General offenders with a history of addiction so that they may receive special treatment at Bureau institutions. About 800 addicts have been admitted since the program began.

The addicts remain at the institutions an average of 15 months, and then are assigned to one of more than 50 aftercare agencies for further care. These centers are run under contract with the Bureau of Prisons. They provide counseling and job placement and monitor the addicts' progress. There are approximately 380 participants in the follow-up treatment program.

The Bureau has acquired from NIMH a medical and correctional center in Fort Worth, Tex., for treatment of special offender groups. The center can house up to 500 patients, both men and women.

Principal efforts will be devoted to narcotics addicts. Treatment programs will also be provided for psychiatric, alcoholic, surgical, and some geriatric patients.

The Bureau began a second program in FY 1971 for addicts not qualifying for treatment under NARA. It selected seven institutions to give intensive counseling to offenders with drug problems.

Each of the seven centers will have custody of some 50 offenders. These facilities are at Lewisburg, Pa.; Petersburg, Va.; Terre Haute, Ind.; El Reno, Okla.; Lompoc, Calif.; La Tuna, Tex., and Fort Worth, Tex. Offenders assigned to these centers are also provided with after-care guidance and counseling through established agencies in the community.

A third class of offenders selected for special correctional efforts is young adults and youthful offenders. These represent about one-third of the Federal inmate population. At the end of FY 1971, 6,572 inmates, or 31.7 percent of the total, were younger than 26. Most of these were between ages 18 and 25, with only 181 who were 16 or 17 years old.

Twelve of the Bureau's institutions have programs for youthful offenders. Most important of these are the Fed-

eral Youth Centers at Ashland, Ky., Morgantown, W. Va., and Englewood, Colo. These three centers were built to house between 300 and 450 inmates, who are received when 16 to 23 years old. The three centers provide intensive counseling and training programs. Included are both basic educational instruction and vocational training. All three centers have work release programs.

Other youthful offenders are sent to reformatories or correctional centers.

**Other correctional efforts.** Additional Bureau correctional efforts include jail inspection and providing health and religious services to Federal inmates.

In FY 1971, the Bureau had 12 full-time jail inspectors to ensure that State and local jails housing Federal prisoners would meet Bureau standards.

There are more than 800 such jails having Bureau contracts for the temporary housing of 4,800 offenders. These offenders are awaiting trial or transfer or serving short sentences.

The Bureau is training other staff members to serve as district jail inspectors in local areas near the institutions where they work. They can provide inspection services to local facilities. The Bureau provided jail inspection classes to about 1,000 local jail employees in FY 1971.

The Bureau provides health care to inmates at all of its institutions. Its Medical Center for Federal Prisoners, located in Springfield, Mo., is the main facility for treatment of medical, surgical, and psychiatric patients.

Trainees at the Lewisburg, Pa., penitentiary make over 3,000 dentures annually for other Federal inmates.

Religious services are held at Bureau institutions. These services utilize local religious leaders. The Bureau chaplains also have training programs for clergymen who want to become chaplains in penal institutions.

## Interagency Council

Coordinating all Federal corrections programs is the Interagency Council on Corrections. It was organized by the Attorney General in response to the President's November 1969 directive.

The Council meets regularly to keep participating agencies informed on the activities of the others, and to make policy recommendations in the corrections field.

One area it has been studying is Federal regulations that pertain to the public employment of offenders, both during and after their sentences.

Officials from the Bureau of Prisons and LEAA are co-chairmen of the Council. Other members are the Civil Service Commission, OEO, the Board of Pardon, the Administrative Office of the U.S. Courts, and the Departments of Labor, HEW, and Housing and Urban Development.

was \$177.6 million (out of a total budget of \$225 million). LEAA also has funded surveys of jails and inmates through interagency agreements with the Bureau of the Census, part of the Department of Commerce.

LEAA has made special efforts to encourage States to improve their corrections programs in conjunction with the Bureau of Prisons comprehensive 10-year master plan. The plan provides for assistance to State and local governments through a variety of activities and demonstration programs.

**Background.** LEAA was established by the Omnibus Crime Control and Safe Streets Act of 1968, landmark legislation in the development of Federal assistance to States in combating crime. In this legislation, Congress provided for three basic kinds of grants: planning grants, to assist States in developing comprehensive plans to improve their criminal justice systems as a whole; action ("block") grants, to assist States in carrying out those plans; and discretionary grants, to fund projects that would not otherwise receive LEAA assistance.

LEAA also carries on a program of research and development in law enforcement and criminal justice. It provides technical assistance to States to give them expert advice in their efforts.

**Part E.** The Omnibus Crime Control Act of 1970 has established through a major provision, known as part E, a new funding program for LEAA in corrections. Part E authorizes LEAA to fund construction and other improvements in State corrections systems.

Beginning in FY 1972, the new funds amount to at least 20 percent of the total funds allocated for regular action programs. LEAA provides 50 percent of the funds in the form of block grants and 50 percent as discretionary grants. The Federal share of these improvement programs is 75 percent, and the State share 25 percent.

Details on part E implementation are given below.

**Bureau of Prisons.** LEAA has a special working relationship with the Bureau of Prisons. In FY 1971, LEAA and the Bureau agreed to coordinate their efforts more closely in fields in which Bureau personnel had concern and experience. As part of this coordination, Bureau personnel officers at the regional level were physically relocated into the 10 LEAA regional offices.

## Funds for Corrections Programs

Funding for LEAA has increased from \$63 million in FY 1969 to \$698 million—11 times the first-year budget—in FY 1972.

During the past 3 years, corrections has received a substantial amount of LEAA funds. This funding has been prompted in large part by LEAA. Early in 1969, when LEAA received State applications for grants and the first statewide criminal justice plans, the Agency became concerned about the level of corrections funding.

Police needs were urgent, and possibly more easily identified than the needs of corrections or court systems.

In any event, of the 1969 funds, 61 of block action funds—\$3.6 million.

LEAA then began to improve coordinating State Planning Agencies to plan corrections. In some instances, LEAA plans only on condition that more will.

Out of some \$180 million in 1970, the States committed about \$100 million. LEAA also financed another \$50 million from discretionary and technical grants so that a total of \$59 million went to corrections.

The breakdown of that overall \$177.6 million shows that \$100 million of corrections funds came from block grants. 32 percent of the total block funds went to corrections from the LEAA funds. Part E funds for corrections.

It appears likely that as much as \$100 million used by the States from their FY 1971 corrections—or 30 percent of the total—will be from the new part E funds and the LEAA grants are expected to swell the total spending to more than \$225 million.

## Funding Objectives

The objectives of LEAA funding in the FY 1971 program are:

- ☐ Developing community-based programs on juvenile and youth offenders
- ☐ Improving probation, parole, and prison programs.
- ☐ Marshaling resources in the private sector for new vocational and educational programs for offenders.
- ☐ Expanding the use of halfway houses.
- ☐ Replacing outmoded jails with regional correctional facilities.
- ☐ Establishing regional training centers for correctional personnel.
- ☐ Developing new and more effective programs and evaluating promising correctional agencies.
- ☐ Developing architectural guidelines for regional correctional centers, facilities, and prisons.
- ☐ Developing specialized treatment programs for regional facilities for female offenders, addicts, and mentally disordered offenders.

this requirement.

Part E programs must include:

- ☐ Coordinating all Federal programs that provide assistance to State, county, and local corrections agencies.

## Major Programs

LEAA has five broad programs in correctional system improvement. The first is planning. For this purpose Federal funds are supporting 55 State Planning Agencies, which supervise approximately 450 regional and local planning groups. They all are obligated to take correctional institution needs into account in forming criminal justice programs.

A second LEAA program, action grants, involves the bulk of the Agency's funds. LEAA has made direct grants to cities and counties to finance community treatment centers, narcotic addiction and drug abuse treatment, job placement, juvenile probation, work release, group homes, rehabilitation of alcoholics, halfway houses, volunteer aide programs, psychiatric care, and a host of other offender rehabilitation efforts.

The third LEAA program, research, is carried out by the National Institute of Law Enforcement and Criminal Justice. The Institute's correctional research program is funded for about \$1 million a year. The Institute evaluates the effectiveness of jail programs, group therapy, halfway houses, work release, prison industries, and other State and local efforts. The Institute also is financing an evaluation of the California probation subsidy program; a nationwide evaluation of juvenile corrections; and the development of model parole programs.

A fourth LEAA program is academic assistance. There are 14,000 corrections personnel enrolled in academic programs under the Law Enforcement Education Program (LEEP) of LEAA.

Technical assistance is LEAA's fifth program. It includes cooperation with the Bureau of Prisons, as noted above.

## Part E Program

The new LEAA funding program authorized by Congress in part E of the Omnibus Crime Control Act of 1970 was designed to have a significant impact on corrections improvements at the State level.

Applicants for part E grants must satisfy requirements that priorities are observed. The highest priority is on community-based programs, and applicants must show satisfactory emphasis on such programs as halfway houses, diagnostic services, probation, and other supervisory release programs for delinquents, youth offenders, and first offenders.

- ☐ A comprehensive statewide improvement program for facilities and correctional programs and practices.
- ☐ Assurances that part E funds will be administered by a public agency.
- ☐ Satisfactory emphasis on the development of community-based facilities and programs.
- ☐ Advanced techniques in the design of institutions and facilities.
- ☐ Improved personnel standards and recruiting and training programs.

Part E funds for corrections totaled \$47.5 million for FY 1971, as compared to an estimated \$100 million for FY 1972. A survey of the FY 1971 awards shows that they were granted for these purposes: \$12.7 million for probation and parole; \$12.1 million for institution planning and construction; \$5 million for institution renovations; \$3.3 million for personnel recruitment and training; \$12.3 million for community-based programs; and \$2 million for planning, administration, and other programs.

## Correctional Architecture

Nearly 2 years ago, LEAA formed the National Advisory Task Force on Correctional Architecture. This nine-member group includes architects and correctional experts.

The task force recommended that LEAA concentrate on four elements:

- ☐ A critique of present facilities.
- ☐ Sponsorship of basic research on the environment most conducive to rehabilitation.
- ☐ Technical assistance to State and local governments in planning new facilities.
- ☐ Development of new design guidelines or standards reflecting the latest thinking of both architects and behavioral scientists.

Development of the design standards was initiated well before the enactment of the 1970 amendments with the part E provision and requirements.

The design standards were to focus on creating a new kind of correctional institution—one that would help resocialize offenders and help a correctional staff to conduct treatment programs. The goal was community-oriented emphasis: a melding of socio-environmental knowledge with the architectural.

LEAA asked the Department of Architecture of the University of Illinois to produce the design standards for adult facilities, and the Department of Architecture of the University of Pennsylvania to develop those for juvenile facilities.

Design standards must reflect the statutory requirements for part E funding. These requirements range from emphasis on community-based programs to the use of advanced techniques in institutional design.

A number of discretionary grants required grantees to consult the committee and to employ the design standards before spending Federal funds to construct or renovate or to prepare architectural designs. These conditions were attached to a grant for a regional criminal justice center in the Birmingham, Ala., area, and to a grant for a public safety building that will serve Rockford and Winnebago County, Ill. In both cases the facilities will service police and corrections.

LEAA has distributed the design standards widely, through the State Criminal Justice Planning Agencies, and directly to architects and correctional administrators.

At LEAA's request and with its financial backing, the University of Illinois has established a National Clearinghouse on Correctional Architecture, which is able to provide any individual or agency with expert technical information.

In addition, LEAA can send out teams of technical experts to help State and local correctional institutions solve problems.

The program is sponsored in cooperation with the Bureau of Prisons, the American Correctional Association, the University of Georgia Institute of Government, and the American Justice Institute. A complete survey team of corrections professionals—an architect, a food service specialist, a management expert, and other technical personnel—can be sent to any prison system requesting assistance.

Seven urban areas have been selected for community correctional demonstration programs. Large numbers of community-based correctional centers are being planned and designed through block and discretionary grants.

## Regional Correctional Programs

In FY 1970 and 1971, the discretionary grant program encouraged and assisted multi-State feasibility studies for regional correctional programs, including programs for females, with participation by the Bureau of Prisons. The aim is to develop local, State, and Federal collaboration on special-purpose regional facilities for females and other offender groups requiring specialized programs.

The Bureau of Prisons has identified eight geographical areas for the location of comprehensive community correctional programs as Federal demonstration projects. Construction funds for multi-purpose centers in New York and Chicago have been provided. A task force has been assigned to develop and draft programs for both these facilities.

Public participation in the corrections process increases its success rate significantly, while lessening corrections to the taxpayer.

That is the conclusion of a 23-page pamphlet by the U.S. Chamber of Commerce. The pamphlet is being distributed nationwide by the American Correctional Association under a grant from LEAA.

Contrary to public impressions, the pamphlet says that only 20 to 30 percent of all inmates must be confined because of the threat they pose to society. The remaining 70 percent of all inmates could be placed on probation in caseload groups, or participate in community-oriented correctional programs in which community resources are used in the correction effort.

According to the Chamber of Commerce, the cost of confining an inmate in the traditional concrete prison is six times greater than the cost of supervision, and 14 times greater than the cost of probation. Viewed another way, one-third of all inmates could be placed on probation in caseload groups, or less if a corresponding third of the correctional budget were devoted to that purpose.

The pamphlet concludes that this substantial savings, when combined with the greater rehabilitation success rate of community-oriented corrections, offers a greater citizen involvement an important part of corrections programs.

## State Corrections Programs

A substantial amount of LEAA funds granted to States is used to initiate or improve correctional programs for adults and juveniles designed to lessen the incidence of crime and enhance the administration of criminal justice.

The programs emphasize community participation in educating and rehabilitating prisoners, treating drug and alcohol abuse, probationary supervision and reform, and placement for released or paroled offenders.

Brief descriptions of some of the outstanding innovative programs follow. The information derived from reports from the States to LEAA about their use of funds.

**California.** Los Angeles County has established a program in Fenner Canyon, a unique probation project for juveniles. More than 4,000 16- to 18-year-old offenders are referred to the program annually. They receive basic education, vocational training, and job development and placement designed to help the probationer establish himself in his community.

In San Francisco, three community resource centers provide neighborhood alternatives to arrest and imprisonment of juveniles. In each center, juveniles in trouble are provided legal services, group and individual counseling, supervision, recreation, and training. A major goal is to reduce the rate and number of juvenile detentions, and imprisonments.



crime in the Nation's Capital, the D.C. Department of Corrections has developed several projects intended to reduce crime and rehabilitate offenders.

A major program is the "Prison College Project," which uses the Federal City College, a 4-year public educational institution, to provide eligible inmates with higher education while they are incarcerated. Prisoners are bused from the correctional facility at nearby Lorton, Va., to the college, where, as students, they take college courses leading to a bachelor's degree. The most popular areas of study are business, computer science, sociology, and psychology. Since its establishment in 1969, more than 400 men have participated in some phase of the Prison College Project.

An outgrowth of the Prison College Project is "Project Start." This OE-sponsored project allows parolees who have completed at least 1 year of college to work in para-professional Civil Service jobs while finishing their education at Federal City College. Upon graduation, the student-interns will be eligible for promotion to professional status within OE.

Projects entitled "Efforts From Ex-Convicts" and "Inmate Personnel System and Career Structures" have been notably successful in the areas of rehabilitation and job placement.

An outstanding and widely publicized adjunct of this program has been the Lincoln Heights project, in which a 50-unit public housing complex was completely restored by a construction team of ex-convicts. The ex-convicts were enabled to employ and enhance their construction skills at prevailing wage rates; the public housing agency achieved renovation at an economical cost; and the community obtained restored and upgraded housing.

Funding for a Psychiatric Treatment Unit for an adult correctional facility will establish a residential unit with inpatient and outpatient components to provide appropriate treatment for seriously disturbed individuals within the prison community. Systematic methods for identifying and evaluating emotionally disturbed offenders will be provided.

**Idaho.** Two projects aimed at improving rehabilitation of offenders, one community-based and the other institution-based, have been planned or established. Each is for adult offenders.

The community-based program has been developed to take a portion of the workload off the shoulders of probation and parole personnel by freeing the field officer from much routine work and permitting closer contact and coverage of his caseload. The project will also assist in the operation of alcohol-recovery houses at the community level.

The institution-based program features a diagnostic center at the State penitentiary. Complete evaluation of all incoming offenders will permit classification of special problem cases and development of a rehabilitation program designed for the individual.

**Kentucky.** A \$245,000 LEAA grant funded the State's first organized prerelease program for prison inmates. Ninety days before release, inmates are moved from stark prison life into a transitional program to reintegrate them into society. Other Kentucky efforts in the correctional field include a model probation and control program and support of halfway houses for ex-inmates.

**Louisiana.** Programs of rehabilitation, probation, and parole were given first priority statewide in Louisiana. Programs included support for acquiring probation, parole, custodial treatment, and clinical personnel; establishing work-release, alcoholic detoxification, and community correctional research centers; constructing a State correctional institution for women; and expanding Louisiana State University training facilities to include correctional probation and parole officers. Community correction and research centers were funded in New Orleans, Baton Rouge, and Alexandria.

**Michigan.** An outstanding rehabilitation project, initiated in the Genesee County Jail (Flint metropolitan area) provides personnel to administer an inmate program emphasizing reduced bonds, early releases, weekend passes, and extended visitations.

Plans have been adopted for funding a rehabilitation project in the Southern Michigan State Prison at Jackson, where 5,000 offenders are processed annually for classification and assignment to the various prisons within the State. Improvements and staff additions to the reception-diagnostic center at Jackson are designed to increase rehabilitation rates through improved ability to prescribe proper inmate treatment after better diagnosis, testing, and classification.

**Missouri.** Four key corrections programs expending a total of more than \$1 million in LEAA grants were funded in FY 1971. They were:

- ☐ A community-based treatment program to aid and support offenders on re-entry into society;
- ☐ A program to provide the probation services of the Missouri State Board of Probation and Parole to the magistrate and misdemeanor courts as an alternative to imprisonment;
- ☐ An inmate education and training program to expand college education and vocational training to inmates of the Missouri Department of Corrections; and
- ☐ A grant for planning, developing, renovating, constructing, and administering State, local, and multi-jurisdictional correctional facilities.

rections area. Almost \$4 million went to a newly organized Department of Correctional Services.

Funded projects included a series of programs for existing personnel at all staff levels; the provision of a variety of academic and vocational services for sentenced prisoners during evening hours; the expansion of legal assistance and library services for inmates; the development of a model reception and evaluation program; the strengthening of community and volunteer services available to inmates while incarcerated and upon release; and the development of a sophisticated planning and evaluation capability for the entire department.

The New York City Department of Corrections received \$3 million to operate programs of recruiting and training approximately 200 paraprofessional correctional aides to meet the immediate needs of men and women who have been remanded to the city's institutions; to provide intensive human relations training for the existing correctional staff; and to initiate a methadone detoxification program for persons committed to city institutions.

The Addiction Services Administration received a grant of more than \$2 million to initiate a multiservice addiction treatment program in the Harlem-East Harlem sections. The program includes four Addict Holding Units designed to provide some 2,000 narcotic addicts more than 18 years of age with blocking doses of methadone while they await admission to a fully developed methadone maintenance and treatment program.

North Carolina. North Carolina's rehabilitative projects include community-based correctional programs operating in minimum confinement facilities or service centers. For example, in one four-county region a program was set up in which persons convicted of offenses related to chronic alcoholism are given professional guidance and weekly group therapy meetings for 8 weeks. For 6 months after completion of the workshop, case histories are maintained by a full-time court-liaison official.

Another example of a community-based correctional alternative is a program within the Department of Corrections which finds and trains community volunteers who assist inmates—both before and after release—in a one-to-one relationship to make necessary social and cultural adjustments.

Ohio. Corrections projects funded in Ohio included a grant to the Dayton Division of Health to develop an alcohol and drug rehabilitation program and grants to Canton, Cleveland, Cincinnati, Toledo, and Columbus to support summer youth programs. The primary purpose was to prevent juvenile delinquency by providing some 1,000 jobs for youths in target areas of cities with the highest delinquency rates.

Texas. The Texas Criminal Justice Council use grants to fund two unusual correctional projects: a heavy-equipment operator training project, in which 20 operators, chosen from 356 applicants, were trained and assigned to work on Department of Corrections projects while awaiting release. A second project helped send 30 inmates to a specialized course in and sewer plant operation conducted by Texas A&M University. Upon completing the course, the inmates were examined for State certification. Those who passed the test were assigned to operate plants in various parts of the corrections department until their release.

Innovative projects in the field of probation include a grant to Nueces County (Corpus Christi) to develop a "goal directed living" program, to McLennan County (Waco) to implement a job training placement program for probationers, and to Travis County to offer aftercare services to persons convicted of offenses related to alcoholism.

Virginia. The School of Social Work of Virginia Commonwealth University was awarded a grant to conduct a 9-day meeting to emphasize corrections as a crime prevention mechanism; help correctional personnel develop techniques of enhancing the public image of the correctional system; and highlight existing and untapped community resources.

To assist in constructing correctional homes, awards of \$50,000 each were made to Chesterfield, Fairfax, and Prince William Counties, and \$87,576 to the City of Bristol.

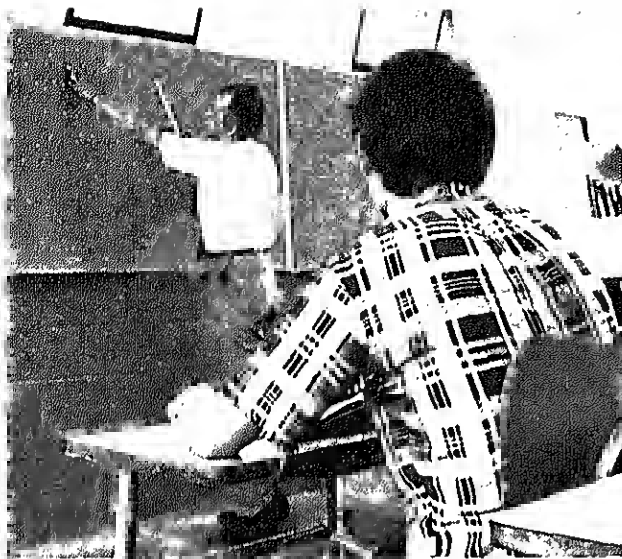
## United States Board of Parole

The United States Board of Parole considers applications for parole by Federal prisoners, makes decisions on granting parole, and supervises each parolee, which may involve returning him to custody if he violates the conditions of his parole.

The Federal parole system, in operation since 1933, is headed by a centralized eight-member board, created by statute in 1930 and appointed for 6-year overlapping terms by the President with the approval of the Senate.

In 1950, a Youth Corrections Division was established by Congress to act within the Board, with members appointed by the Attorney General.

A reorganization of the Board's operations was completed in FY 1971, improving parole processing methods by cutting down on the time elapsed between examination



An inmate education program, supported by the Department of Labor.

parole applicant and rendering a decision. The reorganization has also permitted the establishment of an appeals procedure in which, at a monthly meeting, a staff member orally presents the case and a group decision is made.

A study exploring the use of computerized data, funded by LEAA, was begun in FY 1971. Under the new system, computer-stored data on the Board's decision, plus a 2-year followup of the success or failure of a parolee, would improve decision-making by developing "base expectancy" or "experience" profiles. The Board can refer to the profiles in estimating the probable success of an offender who has applied for parole. The Board has access, through computers, to more than 115,000 cases of prisoners paroled in the 50 States since 1966.

Several new laws were passed in FY 1971 concerning the operation of the parole system, streamlining the procedures and making the system more responsive to individual needs. Access to community treatment centers for parolees who need temporary counseling or a place to live is now possible through new enabling legislation. A parolee may be required temporarily to participate in a Federal community treatment center, under the Bureau of Prisons, in lieu of being returned to prison for parole violation.

Effective February 11, 1971, an amendment to the Federal Criminal Justice Act allows an alleged parole violator to have court-appointed counsel at his revocation hearing if he cannot afford his own attorney. Since the law was passed, an increasing number of parole

violators have been using court-appointed counsel.

New legislation also makes more flexibility possible in initial and violator hearings for young offenders. Hearings formerly were conducted by a member of the Parole Board's Youth Corrections Division but may now be held by any Board member or by an appointed examiner. With an equalized workload, examiners and members can make more detailed studies of each case.

## Department of Labor

For more than a decade, the Manpower Administration, an agency of the Department of Labor, has been involved in apprenticeship training programs for prison inmates. In the last 5 years, however, the agency's correctional rehabilitation efforts have been broadened to provide a variety of job training and work-related activities to offenders in other stages of the criminal justice system.

The impetus for expanding manpower programs has paralleled modern changes in corrections philosophy and techniques. Today, only a small number of offenders are incarcerated; most remain in society—on bail, probation or parole, or in community-based work-release programs. Manpower programs that focus on training long-term inmates alone, while still necessary, are no longer sufficient.

Since June 1967, the Manpower Administration has emphasized program flexibility with the aim of providing comprehensive job training and employment services at each stage of the criminal justice system—pretrial, probation, incarceration, parole, and postrelease.

In FY 1971, for example, the Manpower Administration was deeply involved in providing manpower services at two points in the system—to inmates of jails and prisons and, as an alternative to incarceration, to accused offenders before trial and conviction. Both efforts share the common goal of reducing further crimes by providing offenders with skills necessary for socially useful lives.

In addition, the Office of Employment Development Programs (OEDP) of the Manpower Administration began development of a State model for coordinating job training and employment services, and providing them to all persons in the criminal justice system. In January of 1972 OEDP and the U.S. Employment Service (USES) were formed from the U.S. Training and Employment Service (USTES).

**Inmate training.** In the inmate training program, inmates are provided with job training, remedial and basic education, counseling services, job development and placement, and followup services under the Manpower Development and Training Act (MDTA).

The program is administered jointly by OEDP and the Office of Education of the Department of Health, Education, and Welfare.

During FY 1971, 48 projects—developed at the local level by the Department of Labor, State and local employment services, and vocational education agencies—provided vocational training to more than 4,500 inmates. Training included developing such skills as welding, auto body repair, auto mechanics, electronics, office machine repair, drafting, upholstery, offset press, computer programming, animal training, deep sea diving, and heavy equipment operations.

Some offenders—jail inmates for example—are rarely detained long enough for in-depth skill training. Programs for jail inmates, therefore, concentrate on literacy studies and work sampling in carpentry, auto repair, welding, and several other trades. They aim at helping trainees determine natural aptitudes and interests.

For advanced training outside the jail, offenders have the option of becoming regular MDTA trainees. They can enter training immediately after release or, if permitted by the court, on work release while they are still serving time.

One unique feature of the program has been the use of incentive allowances. In an attempt to determine whether monetary incentive leads to better training performance, the program may credit an inmate trainee's reserve fund with up to \$20 per week. In addition, the incentive payment may be augmented by \$5 per week for each of his dependents up to a maximum of \$30 per week.

**Bonding program.** An important follow-up service to this training has been the Manpower Administration bonding program. Initiated in 1966, the program has made it possible for approximately 2,300 individuals with criminal records to whom regular commercial bonding was not available to secure jobs. The program operates through 2,200 local employment service offices in all States. The default rate has been less than 2 percent.

**Pretrial intervention.** OEDP pretrial intervention projects are directed toward persons 17 to 45 years of age who have been arrested, but not yet tried, for economically motivated crimes. In the projects, accused offenders are removed from the criminal justice process for 90 to 180 days and given intensive counseling, education, job development, and additional supportive services.

If the accused offender responds well to these services, project officials recommend to the court that charges be dropped. The accused offender can then improve his employability and avoid a criminal record.

The project is designed to utilize staff with backgrounds similar to those of the accused offenders, on the condition that this will improve communication between training manpower programs and critically underserved segments of the population.

Also, by intervening in the criminal justice process at an early stage, OEDP can determine whether the use of counseling and manpower services will reduce recidivism rates among selected offenders. To date, the results are encouraging. In one project, for example, 50 percent of those who completed the course committed fewer criminal acts than a similar group which did not receive project services.

Comprehensive correctional manpower management, however, cannot provide all manpower and training services needed by offenders. To overcome this, the agency is developing a framework for other innovative programs called the State Comprehensive Correctional Manpower Model.

The model proposes to bring together services from all agencies, assistance available from the private sector, and all offender programs sponsored by the Department of Labor under one comprehensive plan.

To implement the program, OEDP assists in planning and identifying manpower and training supportive services, designating optimal service delivery methods and working out interagency agreements to provide the services. Vocational training, manpower activities, pretrial intervention, and bonding continue as vital elements in the State program.

Additional benefits expected from implementing the model include:

- ☐ Fuller utilization of work and training resources in conjunction with vocational training
- ☐ Active involvement of State officials with vocational training, including cooperation of law enforcement and corrections personnel.
- ☐ Modification of State personnel systems to encourage hiring of ex-offenders and other skilled workers without credentials.

## Department of Health, Education, and Welfare

Corrections-related activities are carried on by various agencies of the Department of Health, Education, and Welfare (HEW).

The National Institute of Mental Health is heavily involved in research, training, treatment, and rehabilitation in the fields of corrections, delinquency, and narcotics addiction.

The Youth Development and Delinquency Prevention Administration (YDDPA) of the Social and Rehabilitation Service assists States and communities in planning and delivering comprehensive rehabilitation and preventive services to delinquent and predelinquent youth.

The Office of Education (OE) sponsors programs to improve teacher and correctional staff training, library services, and educational and vocational activities in correctional institutions.

The Office of Civil Rights is responsible for ensuring that recipients of Federal funds do not discriminate by reason of race, color, national origin, religion, or sex.

Fuller discussions of these activities follow.

**Mental health.** Research, training, treatment, and rehabilitation are areas in which NIMH is involved in corrections, primarily through the Center for Studies of Crime and Delinquency.

Other than basic research in crime and delinquency, efforts of the Center include developing: (1) new and better programs for institutionalized offenders; (2) community-based rehabilitation and treatment programs as an alternative to incarceration; (3) innovative models for training nonprofessional and professional personnel in corrections; (4) more effective services and facilities for mentally disordered offenders through research into legal and psychiatric issues; and (5) research in individual violent behavior.

Research projects active in FY 1971 included studies on evaluating corrective behavior modification techniques in a halfway house, supervising probationers and parolees convicted of criminal offenses, comparing correctional institutions for delinquent girls, assessing "unofficial" juvenile probation, court-ordered treatment for alcoholic offenders, and assessing correctional climates.

Training grants included providing field experience in corrections agencies and classroom training for social workers, psychiatrists, psychologists, and psychiatric nurses; improving staff quality in security hospitals for mentally disordered offenders; and developing and printing an evaluation of community-based juvenile treatment programs.

NIMH also administers the Narcotic Addict Rehabilitation Act of 1966, providing for civil commitment of narcotic addicts to the Surgeon General for treatment instead of imprisonment when local or State treatment programs are not available.

During FY 1971, addict treatment was partly redirected from Clinical Research Centers at Lexington, Ky., and Fort Worth, Tex., to community agencies in 153 cities

and 44 States receiving 165 NIMH contracts. Transfer of the Fort Worth center to the Bureau of Prisons was announced in late January 1971 and completed in October 1971. The shift to community treatment reflects the NIMH goal of helping States and communities develop a capacity to treat the addict in his own environment, where costs are lower and the patient's life is less disrupted.

NIMH works closely with the Law Enforcement Assistance Administration (LEAA) of the Department of Justice, just as the Center for Studies of Crime and Delinquency of NIMH works with the National Institute of Law and Criminal Justice of LEAA. NIMH also maintains close liaison, particularly in an evaluative capacity, with YDDPA.

NIMH funding in crime and delinquency totaled \$17,923,925 in FY 1971; an additional \$6,591,000 was made available for addict rehabilitation.

**Youth development and delinquency prevention.** Improving the juvenile justice system and rehabilitating youths adjudged delinquent are two of the missions of YDDPA, which also provides guidance and preventive services to youths in danger of becoming delinquent. The YDDPA budget was \$15 million in FY 1971.

Grants and contracts for such programs are awarded to State and local governments under the provisions of the Juvenile Delinquency Prevention and Control Act of 1968.

The act emphasizes community-based rather than institutional rehabilitation and provides for development and support of community agencies to deal with youth outside the criminal justice system. The 1971 amendments to the act established the Interdepartmental Council to Coordinate All Federal Juvenile Delinquency Programs. Two of the five major representatives on the council, the Attorney General and the Secretary of Health, Education, and Welfare, agreed in May 1971 that in an initial coordination of efforts and resources, LEAA would concentrate on youth already in the criminal justice system, and YDDPA on youth outside the system.

YDDPA supports reentry programs for youths leaving correctional facilities, and services for youths on probation are intensified by using volunteers. Group homes and halfway houses are part of this strategy. Under title I, part B, of the act, 18 rehabilitative services grants, totaling \$634,256, were awarded in FY 1971.

The act also provides for training a broad spectrum of professional, student, and volunteer personnel, including professionals and students in the fields of detention, residential treatment, parole, and probation.

Education. Correctional institutions receive support from OE for educational programs and libraries; they also benefit from OE teacher-training programs.

The Bureau of Educational Personnel Development (BEPD) funded three regional training centers in FY 1971 totaling \$336,000. The centers began programs in 21 institutions in 16 States to train new staffs and retrain old staffs serving neglected and delinquent children. The Center for the Study of Crime, Delinquency, and Corrections is at Southern Illinois University; the other two are in the Department of Juvenile Corrections of the North Carolina Department of Education and the Western Interstate Commission for Higher Education at Boulder, Colo.

Five corrections projects, totaling \$1.07 million, were funded through the Teacher Corps, which is administered by BEPD, in FY 1971. Located in Illinois, Georgia, Connecticut, California, and Oregon, these programs are aimed at improving teaching of delinquent and pre-delinquent youths during and after institutionalization.

The Bureau of Elementary and Secondary Education (BESE) operates a program of formula grants to State education agencies for educating delinquent children in correctional facilities. Funding in FY 1971 totaled more than \$16.4 million for 245 State institutions. BESE estimates indicate that students are gaining almost 1.5 years in average academic achievement for each year spent in this program.

The University Community Services programs sponsored by the Bureau of Higher Education have included university extension courses for residents of correctional institutions.

The Bureau of Adult, Vocational, and Technical Education assisted States in FY 1971 in providing: (1) vocational training for 33,000 correctional institution residents at a cost of \$1,188,000; (2) education for some 32,000 adult prison inmates who had not finished high school (\$2,194,000); and (3) training for staffs working with adult prison inmates (\$200,000). FY 1971 was the third year of this model program which was conducted at the University of Hawaii in cooperation with the Bureau of Prisons and State and local correctional agencies.

Five west coast educational institutions in FY 1971 began to test new curricular materials related to job requirements in justice administration professions, including corrections. The materials were developed by the National Center for Educational Research and Development for use by high school and college students.

The Bureau of Libraries and Educational Technology assists States in improving library services in correctional institutions. In FY 1971 almost all of the approximately

655 eligible correctional facilities received State services, such as consultants, centralized order processing, and loans of books, legal materials, and visual resources. Special project grants, totaling \$1.2 million, were awarded to 310 correctional institutions to their libraries.

**Civil rights.** The Office for Civil Rights is responsible for civil rights compliance in HEW-assisted pre-reformatory, and juvenile homes, and in Federal and federally assisted construction and education related to law enforcement or criminal justice.

Authority for this enforcement is found in Title VII of the Civil Rights Act of 1964, which prohibits discrimination in federally assisted programs on the basis of race, color, or national origin. Executive Order 11246 (as amended by Executive Order 11374), which prohibits, in addition, discrimination on the basis of religion or sex.

## Department of Commerce

The Department of Commerce is involved in many projects in the area of corrections. Its Bureau of Economic Census collects information concerning correctional institutions. And its National Bureau of Standards is developing performance standards for correctional facilities and equipment.

This work is undertaken by the Department of Commerce through interagency agreements with the Federal Bureau of Investigation, the Institute of Law Enforcement and Criminal Justice, the research arm of LEAA. The National Institute of Standards and Technology funds the programs and the Bureau of the Census and the National Bureau of Standards perform

**Jail census.** The main activity of the Bureau of Economic Census in FY 1971 in the field of corrections was the Jail Census. It was concerned with 4,037 local jails, county jails where persons are kept for longer than 24 hours. The survey did not include Federal prisons, exclusively juvenile institutions, or the territories and the States of Connecticut, Delaware, and Alaska.

On March 15, 1970, the jails surveyed held 153,063 adults and 7,800 juveniles. Nineteen percent of the adults were males, and 52 percent of the juveniles had not yet been convicted of a crime. Two-thirds of the juveniles had not been convicted.

Five percent of the jails held more prisoners than they were designed to accommodate; of these, 10 percent were overcrowded by more than 100 prisoners each

jails at the county or municipal level, 86 percent had no exercise or recreation facilities, and 90 percent had no educational facilities. Half had no provisions for medical care within the prison, and 25 percent had no facilities for visitors. Forty-seven of the institutions (about 14 percent) had no flush toilets. Of 100,000 cells in these jails, 25,000 were more than 50 years old, and 5,000 were more than a century old.

On the date surveyed, the Nation's jails employed about one person for every 5.5 inmates, or the equivalent of 28,911 full-time employees. Each employee received an average monthly salary of \$617, with the total payroll figure for March running to \$18 million. It cost \$324 million to operate such jails in FY 1969, and administrators had planned to spend a total of \$171 million on new construction in FY 1970.

**National Juvenile Detention and Correction Facilities Census.** Another survey, in the planning stage during FY 1971, is polling 725 detention and correctional facilities for juveniles in all States to determine the characteristics of their physical plants, facilities, and programs, as well as the number and types of residents. Among those institutions being surveyed are shelters and centers for temporary detention; training schools, camps, farms and ranches; reception and diagnostic centers; group homes and halfway houses; and locally administered facilities combining home residence with daily counseling and classes.

**Survey of jail inmates.** Planning also was started in FY 1971 for a study of the background and characteristics of jail inmates and their surroundings. For this survey, approximately 5,400 inmates and 4,400 jail administrators were interviewed.

**Law enforcement standards.** The National Bureau of Standards, in 1971, established the Law Enforcement Standards Laboratory (LESL). LESL is primarily concerned with developing voluntary performance standards for all levels of law enforcement equipment and facilities. One of the eight categories of equipment for which LESL plans to develop standards is correctional institution building systems, which includes institutional fixtures, furnishings, equipment, supplies, building materials, and systems design.

## Office of Economic Opportunity

Much of the work of the Office of Economic Opportunity (OEO) is concerned, in a broad sense, with reduc-

tion and prevention of crime. In addition to the OEO attack on poverty, illiteracy, and unemployment in high crime neighborhoods, OEO has made concerted efforts in the field of corrections.

OEO funds have supported numerous projects throughout the country providing counseling, job training, and job placement to inmates before and after release; operating halfway houses to ease the transition from imprisonment to freedom; making the bail and probation systems more responsive to individual needs; and improving prison living conditions.

Brief descriptions of those projects follow.

**Project NewGate.** One of the best-known programs for rehabilitation of inmates in correctional institutions has been Project NewGate, which operated pilot programs in two Federal and four State institutions: the Federal Youth Center in Englewood, Colo.; the Ashland Federal Youth Center in Ashland, Ky.; St. Cloud Reformatory, St. Cloud, Minn.; the Penitentiary of New Mexico in Santa Fe; the Oregon State Penitentiary in Salem; and the Rockview Reformatory in Camp Hill, Pa.

Aimed at creating a school atmosphere with an 8-hour day of classroom work and study free of regular prison work, Project NewGate worked with youth and adult offenders on a comprehensive rehabilitation program. The program includes counseling and technical or educational preparation before release, and postrelease training, personal counseling and guidance. NewGate projects near universities in some cases established campus housing for parolees studying at the university. Student inmates can take courses under a "study release" program in which they participate in many aspects of campus life.

Although it is difficult to measure long-term success, less than 15 percent of NewGate participants have been convicted of new offenses after release or sent back to prison for violating parole. In an effort to organize the knowledge gained through NewGate programs, and to disseminate information about NewGate techniques, OEO awarded a grant to the National Council on Crime and Delinquency to establish a NewGate Resource Center where other NewGate programs might be developed and where information will be available to interested groups, universities, and institutions.

**Other rehabilitation programs.** In addition to Project NewGate, OEO supported many smaller projects that aim to help inmates achieve independence and stability both before and after release. At El Reno (Okla.) Federal Reformatory, OEO funded a research and demon-



stration program in FY 1971 for motivational training of inmates. One hundred and ten inmate volunteers attended five 1-hour lessons per week for 12 weeks in an effort to raise their self-esteem.

In Sacramento, Calif., OEO supported a program, staffed largely by ex-convicts, to help inmates readjust to freedom through prerelease and postrelease counseling and job placement.

A variety of counseling activities by the Monterey (Calif.) Anti-Poverty Program were funded by OEO, including arranging visits and family contact for convicted persons; inmate job training and placement; and arranging for the early release of prisoners adjudged ready to hold a steady job and take the responsibilities of freedom.

A \$70,000 grant from OEO in FY 1971 enabled the United Planning Organization of Washington, D.C., to operate a program to obtain fidelity bonding for ex-convicts who had difficulty getting jobs. About 900 individuals participated in the program.

Job training, personal counseling, and a place to live if needed were among the services offered by the Chicago Department of Human Resources, assisted by OEO funds, to 46,500 teenagers in FY 1971.

VISTA (Volunteers in Service to America) was part of OEO until July 1, 1971. During FY 1971, VISTA operated 16 projects dealing with the reintegration of ex-offenders into their communities. In Baltimore, counseling for juvenile ex-offenders was offered by VISTA volunteers in connection with the University of Maryland School of Social Work. In New York City, VISTA volunteers worked with ex-convicts and their families in an effort to obtain jobs and ease the adjustment of release. A similar effort was made by VISTA workers at the Shelby County Penal Farm in Memphis, Tenn.

A "teaching in jail" program had VISTA volunteers tutoring and offering job counseling to inmates in Redwood City, Calif. In Colorado, volunteers worked with juvenile probationers under the Denver Juvenile Court Program and with inmates of the Golden Gate Youth Camp in Golden.

Also with OEO funds, the Morrow Association on Correction in New Brunswick, N.J., offered job counseling, limited financial aid, and help for prisoners' families to 1,500 inmates in New Jersey prisons in FY 1971. In the Seattle, Wash., area, a planning grant from OEO helped to establish a community program for pre- and post-release counseling of convicts. In Massachusetts, 10 to 15 inmates daily traveled from the Massachusetts Correctional Institute at Walpole to Medfield State Hospital, where they received training as aides.

Increased recognition of the special problems of prisoned drug users led OEO to grant funds to the University of North Carolina for a statewide program of rehabilitation, including academic and vocational training, counseling, and therapy.

**Halfway houses.** Several halfway houses have been established and maintained through support from OEO. The Long Beach, Calif., Academic Halfway House maintained a special counseling and support program for college student ex-convicts who want to return to school. The Hoffman House, also in Long Beach, maintained a confidential and counseling service for female ex-convicts while they reestablished themselves in the community. The Talbert House, in Cincinnati, Ohio, offered rehabilitation to 51 parolees of Ohio prisons in FY 1971.

**Bail project.** In an effort to help indigent persons arrested for a crime maintain their independence and keep their families from becoming financial burdens on the State, the San Francisco Bail Project obtained pretrial release for 1,000 persons on their own recognizance.

In FY 1971, more than 2,600 arrested persons were released on bail under the project; 97 percent had their court appearances. FY 1971 was the last year of OEO funding, and the program was to be supported by the city of San Francisco.

The Paterson (N.J.) Probation Project foundered through lack of counseling, housing, and medical help for probationers through a neighborhood probation center. The project also has been studied as a possible model for reorganizing New Jersey county probation systems to concentrate on individual counseling with increased use of volunteer part-time workers, and paraprofessionals. A bail project under VISTA also used volunteers to relieve professional workers of some of their caseloads.

**Institutional conditions.** In FY 1971, OEO funded a project in Washington, D.C., called the Center for Correctional Justice. The project worked with the University of Columbia Department of Corrections to develop models outside the courts for handling youth center grievances and disputes. The project provided arbitration and negotiation by project staff members and made money available for legal counseling and representation of inmates.

Another attempt to improve prison conditions directed by the Morrow Association in New Jersey, funded from OEO, was involved with upgrading physical facilities and overseeing the hiring of highly qualified prison personnel.

## Federal Probation Service

The Federal Probation Service, which is under the supervision of the Administrative Office of the United States Courts, serves 90 Federal district courts in 50 States, the District of Columbia, and Puerto Rico. The Service has 188 field offices. The Service conducted 61,497 investigations during FY 1971 and received 24,577 persons for supervision. Both these figures are approximately 10 percent higher than in FY 1970. A summary of the activities of the Service in FY 1971 as they relate to corrections follows.

During the year, plans were made to open more community treatment centers to persons on parole, probation, and mandatory release. The Division of Probation, in collaboration with the Bureau of Prisons, drafted legislation which will offer many offenders new alternatives to institutional confinement.

More individualized treatment of parolees is the result of several years of work completed in FY 1971 by the Board of Parole staff, the Division of Probation, and a committee of probation officers. The new standards allow varying degrees of supervision, depending on each case, thus freeing parole officers to give additional time to difficult cases and giving parolees the incentive to become responsible citizens.

Another program involving individualized treatment, but still in the experimental stage, uses objective criteria and psychological testing to identify offenders unlikely to violate probation and parole. These low-risk offenders are then assigned to probation officers with large caseloads—usually more than 300 cases each. Other officers then have time to handle a smaller number of difficult and demanding cases than they would with a normal caseload. So far, results indicate that the violation rate is normal even where the caseloads are far greater than usual, and that intensive service to intermediate-risk offenders may be of significant value.

An administrative change is expected to facilitate supervision of individuals on probation who move from one judicial district to another. The new policy would provide for change in jurisdiction along with change in supervision when the probationer moves. The policy was recommended by the Committee on the Administration of the Probation System, a group of seven Federal judges appointed by the Chief Justice of the United States to advise the Judicial Conference regarding the Federal Probation Service.

A project exploring the use of part-time paraprofessionals in probation and parole supervision, the Probation Officer-Case Aide Project, has been conducted at the

Federal probation office in Chicago. The project is sponsored by the University of Chicago Center for Studies in Criminal Justice and supported by the National Institute of Mental Health and the Federal Judicial Center. Data analysis on the experimental group of 161 persons will be available in FY 1972.

## Conclusion

The Federal Government today is devoting more of its resources than ever before to the rehabilitation of offenders. These funds are being directed toward the programs and approaches that promise the highest rate of success in restoring an offender to a meaningful place in our society.

In part, this has entailed the abandonment of some traditional views of punishment for crime. Too often incarceration alone was not sufficient to deter an offender from further criminal acts upon release. To live as a law-abiding citizen, the offender must be equipped to assume a normal role in society. This must include the educational and vocational skills which so many offenders lack.

This is the type of rehabilitative training that the Federal Government can provide for its own inmates and for which it can aid State and local programs. Increased Federal efforts alone, however, will not promise success in reversing the failures of the Nation's penal systems. Federal efforts must be matched by greater endeavors on the State and local levels.

It is here that the results of the correctional systems come to bear upon the public. State and local governments must assume their share of this burden. The private sector also must be encouraged to cooperate in this effort. Business and labor must help to train and employ offenders with potentially usable skills. And communities must be willing to devote more of their resources to correctional efforts that get the offender involved in community life, rather than further estranged from it.



The decade of the 1960's was marked by widespread civil disorder in the United States—racial discord, urban terrorism, campus unrest, and disturbances resulting from political protest.

These events sparked increased Federal concern, precipitating an effort to improve planning and coordination of the Federal response and to assist State and local authorities in preparing to deal with civil disturbances.

Although the incidence of civil disorders has diminished during the past 2 years, the potential for them remains and will present a challenge to law enforcement officials for the foreseeable future. The Federal Government will inevitably play a crucial role through a broad spectrum of programs designed to alleviate the causes of civil disorders as well as to contain and control them.

The Department of Justice and the Department of Defense are primarily responsible for the Federal response to civil disorders. The Department of Defense may provide military equipment and personnel support to control disorders, while the Department of Justice coordinates all Federal civilian activities relating to civil disorders. Programs carried out by other Federal departments and agencies include research related to collective violence, programs to aid the victims of such violence, and projects to enable local authorities to improve their capability for coping with disorders.

## General Policies and Programs

The Constitution imposes on the Federal Government, as it does on all law enforcement agencies in the Nation, the dual responsibility to guarantee freedom of political expression and to protect against insurrection and domestic violence.

There is a fine line between a lawful political demonstration and an unlawful civil disorder, and it is the responsibility of the courts to delineate that line precisely.

These distinctions have been complicated in recent years by political demonstrations which have had as their avowed purpose the closing down of the lawful and necessary operations of the Federal Government. Often, the demonstrators themselves have taunted and harassed the police officers who were there to guarantee the constitutional rights of the demonstrators to make their political views known.

**Federal role.** It is a recognized fact that preserving civil peace is primarily the task of State and local law enforcement agencies. Only rarely does a civil disorder exceed the capabilities of State and local police resources.

The Federal Government has a special role in regard

to the District of Columbia, the details of which are provided below. Even there, the Government acts in assistance to the Metropolitan Police Department and the District of Columbia National Guard in regard to civil disorders.

**Policy.** In carrying out the constitutional and congressional mandates in regard to civil disorders, the Federal Government adheres strictly to a policy of minimum essential reaction.

The Department of Justice maintains an information center, described below, which is manned around the clock to provide information to the Attorney General relating to civil disturbances on a nationwide basis. This is relayed, as appropriate, to the President and to the Secretary of Defense. And the Department of Defense maintains sufficient forces to meet any contingency, thereby allowing the President to make a measured response to civil disorders which are beyond the control of State and local authorities.

**Action plan.** The basic policy for the Government is set out in the Interdepartmental Action Plan for Civil Disturbances, approved by President Nixon in 1969. This plan sets out the responsibilities of the Attorney General and the Secretary of Defense as to preparation and planning for a Federal response to civil disorders in the Nation. A special portion of the plan deals with the District of Columbia. Details of the contents and implementation of the plan are given below.

**Department of Defense.** Within the strict limits of the Constitution, acts of Congress, orders of the President, and its own directives, the Department of Defense provides certain assistance to State authorities and the District of Columbia in controlling civil disorders. This assistance ranges from limited training support and loan of equipment to the provision of military force. A description of the Department of Defense programs in this area is provided below.

**Other programs.** The Federal Government operates several programs which support the Federal responsibility in regard to civil disorders or provide assistance to States. These programs include financial assistance to States provided by the Law Enforcement Assistance Administration; community relations expertise provided by the Community Relations Service; riot reinsurance provided by the Department of Housing and Urban Development; police helicopters funded by the Department of Transportation; and specially trained riot cadres maintained by the General Services Administration to protect Federal employees and buildings.

law punishes injuring or interfering with anyone during a riot or civil disorder if that person is engaged in a business affecting interstate commerce or sells commodities which have moved in interstate commerce (18 U.S.C. 245).

The District of Columbia has its own Federal anti-riot law (D.C. Code 22-1122) and a number of State anti-riot laws apply within Federal enclaves through the Assimilative Crimes Act; where Congress has not otherwise provided, State criminal law applies for Federal enclaves (18 U.S.C. 13).

**Enforcement.** Investigation and prosecution of violations of the Federal laws relating to civil disorders may be handled by the Criminal Division, Civil Rights Division, or Internal Security Division at the Department of Justice, depending on the nature of the violation.

The Criminal Division prosecutes persons participating in civil disorders in violation of the Federal anti-riot statutes of 1968. During FY 1971, thousands of reports of possible violations were reviewed by the Division's General Crimes Section, including those connected with May Day activities.

The Civil Rights Division is charged, under the post-Civil War statutes and portions of the Civil Rights Act of 1968, with investigating incidents of criminal interference with federally protected rights and activities and, where necessary, taking appropriate prosecutive action.

Alleged violations of Federal law by police and other law enforcement agencies during civil disturbances (or at other times) are investigated by this Division. The Civil Rights Division prosecuted law officers for alleged misconduct resulting from the Berkeley, Calif., "People's Park" disturbances of 1969, which resulted in several injuries and one death.

## Background

Civil disorders have occurred throughout the history of the United States. During the pre-Revolutionary period, riots and other acts of violence were common. There were riots in several Colonies over the issue of taxation without representation, culminating in the Boston Tea Party of 1773.

After independence, civil disorders continued on a sporadic basis. A few have been serious and have required the use of either State or Federal military forces to assist local police in controlling the situation.

The State militia was called out during Shay's Rebellion in 1786, for example, to control farmers who rioted to halt the trials of debtors protesting against congressional currency policies. Federal troops were first employed to control a civil disturbance in 1794, when President Washington requisitioned 15,000 men from four States to meet the violent resistance of the Whiskey Rebellion. The violence resulted from objection among residents of western Pennsylvania to a Federal tax on the production of whiskey. General (Light Horse) Harry Lee, then Governor of

Virginia, was put in command by President Washington, and he and his troops quelled the disturbance.

**Draft riot.** During the Civil War, a major riot took place in New York City when thousands of men rioted for several days in protest against the draft and the ability of well-to-do young men to avoid it. In that instance, Federal troops were used to restore order.

**Labor unrest.** Beginning in the 19th century, there were violent disorders grew out of the labor movement. Strikers fought the militia in Pittsburgh, Pa., in July 1877. Some 16 soldiers and 10 strikers were killed. Troops suppressed the Pullman Strike in 1894. In 1919, the Ludlow Massacre of 1919 resulted in deaths between guards armed with machine guns and striking mine workers.

**Racial disorders.** There have been numerous demonstrations over the racial issue, including the largest protests in the history of the Nation.

Many civil disorders have had racial overtones. The 1960's America riot with the largest number of deaths in Detroit, Mich., in 1967. Michigan requested that President Johnson send Federal troops. The request was ignored. Troops returned under without firing a shot.

One of the largest racially inspired riots occurred in the Watts section of Los Angeles in 1965. A wave of similar disorders broke out during the summer of 1967. There were riots in Newark, N.J., and in Detroit, Mich. The Governor of Michigan asked President Johnson to send Federal troops to restore order. The President responded by sending troops rapidly brought a return of law and order.

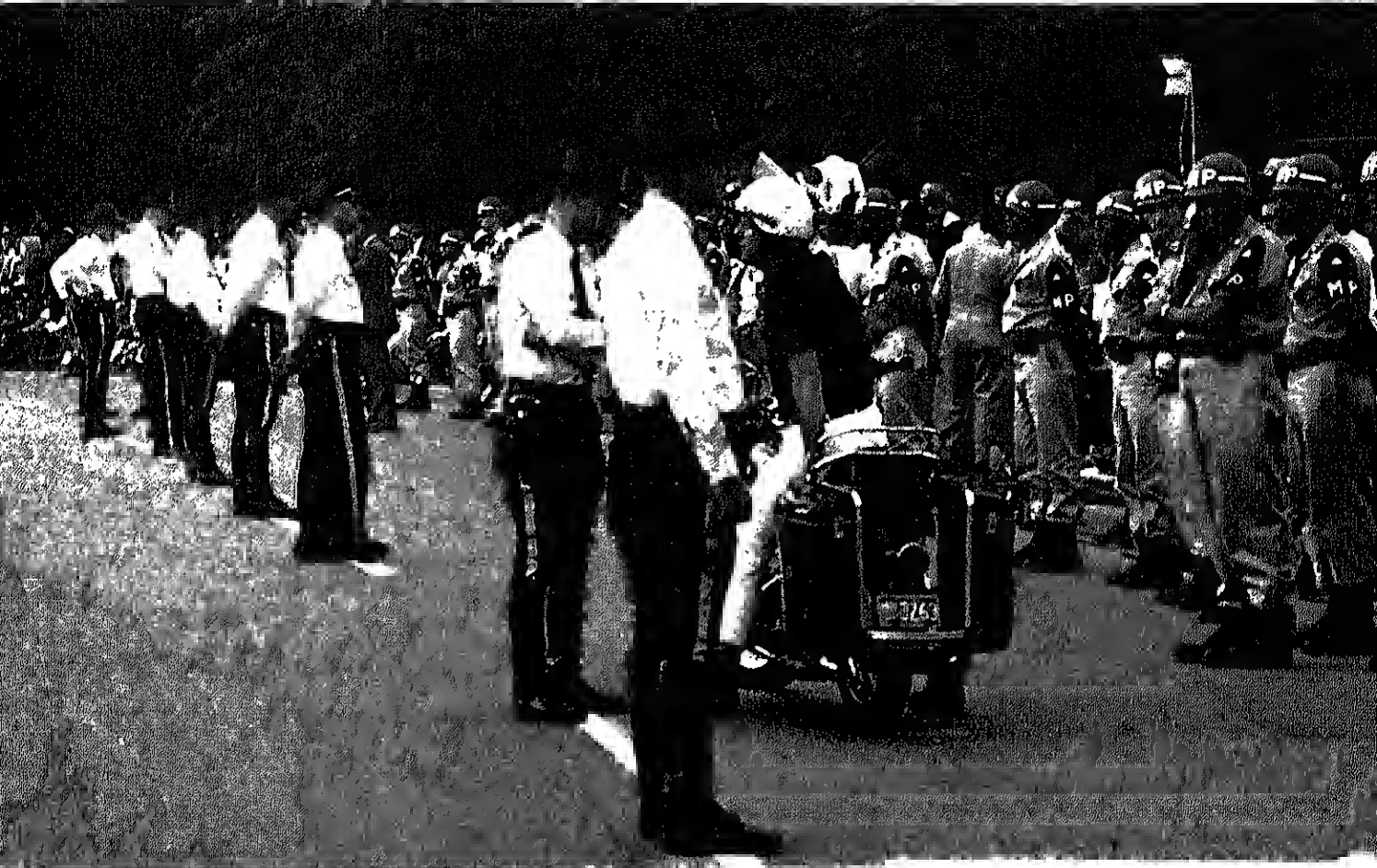
**Civil Disorders Commission.** The rioting drew new attention on the seriousness of the problem. President Johnson established a National Advisory Commission on Civil Disorders to investigate the causes of the riots. The Commission reported in March 1968.

**Assassination of Martin Luther King, Jr.** Rioting followed the murder of the Rev. Martin Luther King, Jr., on April 4, 1968, with looting, destruction, and rioting in many cities across the Nation, including Washington, D.C.

The Attorney General advises the President on when to invoke Federal military support, and the Secretary of Defense provides the necessary military force.

## Agreement

In 1969, Attorney General John N. Mitchell and Secre-



Military Police and Park Police on duty during a demonstration in Washington, D.C.

**Antiwar protests.** United States involvement in Vietnam was accompanied by a number of protest demonstrations, many of which became violent. Demonstrations, sit-ins, and building seizures usually were controlled by local campus guards or local police, but National Guard units and Federal forces also were employed on various occasions.

Violence erupted during the Vietnam antiwar demonstrations in Washington, D.C., in November 1969 and on May 9, 1970. One major disorder which required positioning of Federal troops occurred on May 3-4, 1971, when various antiwar groups attempted to stop traffic and take other harassing actions in order to close down the Federal Government. Troops were called in to assist the Metropolitan Police Department, although they did not actually confront any demonstrators, and the Government conducted business in a normal manner.

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by all military and civilian forces control the disorder. The Secretary of Defense consults with the Attorney General on major questions of law and law enforcement policy in connection with the military planning and preparation taking place during this stage.

The Attorney General also advises all State Governors of the legal requirements for obtaining Federal military support to control civil disorders, and the Governors address all preliminary communications concerning the possible use of Federal force in their States to the Attorney General.

The plan also calls for the Attorney General to oversee intelligence collection during the planning stage, which is accomplished by the Intelligence Analysis Unit of the Department of Justice. After evaluation, the information is furnished to various Federal agencies or the White House, as appropriate. The Intelligence Analysis Unit constantly monitors those civil disorders which may become serious enough to warrant Federal intervention.

**Phase Two.** The Department of Justice intelligence operation is responsible for alerting the Attorney General and the Secretary of Defense when serious civil disturbances occur which may eventually necessitate commitment of Federal troops. The Attorney General immediately informs the President.

During the early period of the disorder, the Attorney General and Secretary of Defense may send representatives to the scene of the disturbance to assess the nature of the situation.

The Secretary of Defense may pre-position Federal troops near an area of disorder at this stage; although informal approval of the President is required if more than a battalion-sized unit (about 500 men) is involved.

A Governor who foresees a possible request for Federal troops confers with the Attorney General about the situation, enabling the Attorney General to review the legal questions of the anticipated request.

If the President decides to commit Federal forces, he signs a Proclamation and Executive order furnished him by the Attorney General. The Proclamation formally calls upon "insurgents" to disperse and to retire peaceably within a limited time; if they fail to do so, the Constitution vests in the President the authority and responsibility to invoke Federal power to restore law and order.

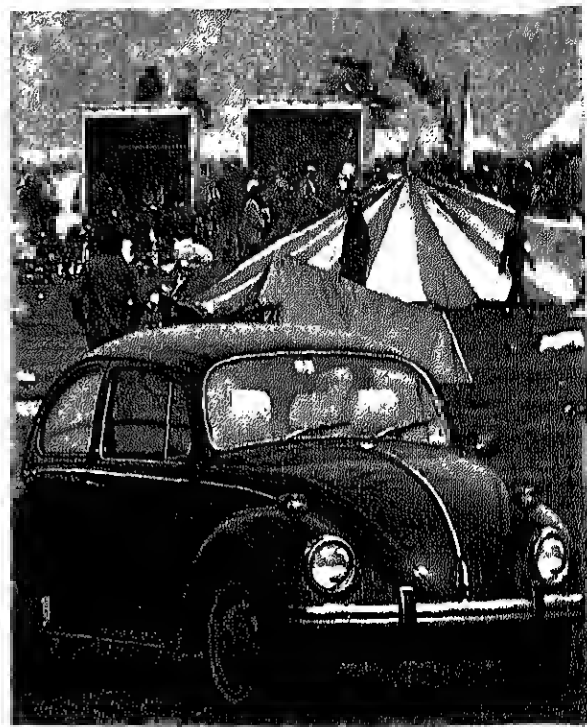
**Phase Three.** During actual deployment of Federal troops, the Secretary of Defense is responsible for the conduct of the military operation and is authorized to federalize units of the National Guard as necessary.

A personal representative of the Attorney General is sent to the location of civil disorders, and is consulted by military task force commanders on all important matters. The Attorney General retains responsibility for coordinating all Federal activities, as well as those of State and local agencies, in support of restoration of peace and administration of justice in areas of disorder.

**Phase Four.** The representatives of the Attorney General and military task force commander at the site of a dis-

order in the District of Columbia include the protection of Federal buildings, Government operations as well as the control of the crowd. The Secretary of Defense and Attorney General function in much the same manner as elsewhere.

The Commissioner of the District of Columbia acts



Campground of demonstrators who gathered in Washington, D.C., for May Day 1971 demonstrations.

the same capacity as a State Governor in consulting with the Attorney General and requesting the President to order military assistance. And the President, as Commander-in-Chief of the D.C. National Guard, is authorized to call the Guard into service in militia status. The Guard may be used in controlling actual disorders or in policing demonstrations which may develop into disorders.

## Implementation

Various staffs within the Department of Justice and the Department of Defense facilitate implementation of the Interdepartmental Action Plan for Civil Disturbances.

When a serious civil disorder occurs, the Attorney General activates the Civil Disorders Group within the Department of Justice. Members of this group are high-level Department officials who are designated beforehand to be called upon when the situation warrants.

The Civil Disorders Group functions as the Attorney General's key advisory team during civil disorders, keeping him informed of situations as they develop. The



anywhere in the United States.

The SCRAG teams are composed of Department of Justice personnel; each has a senior attorney and other attorneys as needed, a public information officer, a representative of the Community Relations Service, and other personnel as needed. The teams are available on short notice to assess the nature of disorders and possible methods of dealing with them.

the field may also have occasion to furnish data. Military intelligence agencies are not involved in collection of information for this purpose.

**Intelligence Analysis Unit.** The intelligence analysis function relating to civil disorders has been vested in various elements of the Department of Justice, with administration of the function shifting as the changing



A special team, the District of Columbia Civil Disturbance Team, performs the same functions with the same kind of personnel in the District of Columbia. The head of this team, however, is the Deputy Attorney General.

**PLOCSA.** The Secretary of Defense is represented at the field level by the Personal Liaison Officer, Chief of Staff, Army (PLOCSA). The PLOCSA is the military counterpart of the SCRAG, working with the SCRAG at the operational level making recommendations to the Army Chief of Staff concerning the deployment of Federal troops, and assisting the task force commander of committed Federal forces.

## Information and Intelligence

The collection and dissemination of intelligence and information is essential to the Federal role in preparing for and dealing with civil disorders.

The Department of Justice is responsible for the operation of these functions, which include gathering intelligence data on potential trouble spots, analyzing that data, and operating a 24-hour-a-day Information Center to maintain communications with all involved Federal agencies about the disorders.

**Intelligence gathering.** The collection of intelligence data is a key function in the preparation and planning for civil

Park Police search demonstrators suspected of criminal conduct in Washington, D.C., May Day 1971 demonstrations.

nature of civil disorders calls for different responses. Responsibility for intelligence analysis was first carried out by the Interdivisional Information Unit, under the Criminal Division. Later, the function was placed in the Civil Rights Division, and then placed under the Deputy Attorney General. In early 1971, it was moved to the Internal Security Division and incorporated into the Intelligence Analysis Unit of the Analysis and Evaluation Section. The Intelligence Analysis Unit is permanently staffed to monitor information relating to potential disturbances on a continuing basis.

**Information Center.** The Department of Justice Information Center has a key role in supporting all Federal activities during civil disturbances. It is operational 7 days a week, 24 hours a day during most of the year; and it can be activated to full capacity in under 60 minutes when necessary.

The center, which is located at the Department of Justice, is designed to provide the Federal Government with communications capabilities during serious civil disturbances. Through the assistance of SCRAG teams, it is able to monitor many concurrent disturbances.

The center has direct lines to the White House, the Pentagon, and other Government agencies in order to keep their personnel apprised of current situations involving civil disorders.

and providing some equipment to the actual employment of Federal troops.

All of the resources of the Department of Defense are at the service of the President in this regard, and sufficient resources are available at any time to meet any contingency.

**Legal considerations.** The legal considerations surrounding use of Federal troops are set out in Department of Defense Directive 3025.12, *Employment of Military Resources in the Event of Civil Disturbances*. Key portions of that directive are quoted here:

- A. Under the Constitution and laws of the United States, the protection of life and property and the maintenance of public order are primarily the responsibilities of State and local governments, which have the necessary authority to enforce the laws. The Federal Government may assume this responsibility and this authority only in certain limited instances.
- B. Aside from the constitutional limitations of the power of the Federal Government at the local level, there are additional legal limits upon the use of military forces within the United States. The most important of these from a civil disturbance standpoint is the Posse Comitatus Act (18 U.S.C. 1385), which prohibits the use of any part of the Army or the Air Force to execute or enforce the laws, except as authorized by the Constitution or act of Congress.
- C. The Constitution and acts of Congress establish six exceptions, generally applicable within the entire territory of the United States, to which the Posse Comitatus Act prohibition does not apply.
  1. The constitutional exceptions are two in number and are based upon the inherent legal right of the United States Government—a sovereign national entity under the Federal Constitution—to insure the preservation of public order and the carrying out of governmental operations within its territorial limits, by force if necessary.
    - a. The emergency authority: Authorizes prompt and vigorous Federal action, including use of military forces, to prevent loss of life or wanton destruction of property and to restore governmental functioning and public order when sudden and unexpected civil disturbances, disasters, or calamities seriously endanger life and property and disrupt normal governmental functions to such an extent that duly constituted local authorities are unable to control the situation.
    - b. Protection of Federal property and functions: Authorizes Federal action, including the use of military forces, to protect Federal property and Federal governmental functions when the need for protection exists and duly constituted local authorities are unable or decline to provide adequate protection.
  2. There are four exceptions to the Posse Comitatus Act based on acts of Congress.
    - a. In the cases of each of the first three of those described below, personal Presidential action, including the issuance of a proclamation calling upon insurgents to disperse and retire peaceably within a limited time, is a prerequisite.
      - (1) *10 U.S.C. 331*: Authorizes use of the militia and Armed Forces when a State is unable to control domestic violence, and a request for Federal assistance has been made by the State legislature or Governor to the President. Implements Article IV, Section 4, of the Constitution.

(4) *House Joint Resolution*  
Directs all departments of the  
the request of the Secret S  
Service in carrying out its statu  
Government officials and major  
from physical harm.

- b. It should be noted that none of  
in and of itself, provides sufficient  
members of the Reserve compon  
service.

**Recent disturbances.** The most notable  
eral intervention to prevent or control  
in the past two decades were: school i  
Little Rock, Ark. (1957–1958), Oxf  
1963), and Huntsville, Ala. (1963);  
tions in Birmingham, Ala. (1963), and  
(1965), where troops were deployed  
preserve order; urban riots in Detroit  
Baltimore, Md., Washington, D.C.,  
(1968); and antiwar demonstration  
D.C. (1967–1971).

Since 1932, Federal troops have been  
State request to quell domestic disorders  
in Detroit in 1943 and 1967 and in B  
cago in 1968.

## Policies

**Adequate trained and equipped military**  
trained to insure rapid response when th  
the Department of Defense to provide a  
ing law and order. Emphasis is placed c  
imum force in all situations and man  
been prescribed to restrict use of deadly

Sometimes the mere presence of Fed  
may be sufficient to restore peace and c

**Structure of the response.** The Depar  
directive on the Employment of Militar  
Event of Civil Disturbances designates  
the Army as Executive Agent in the  
deployment of Department of Defense  
trol civil disorders. The Directorate of  
in the office of the Chief of Staff, U.S  
staff support, develops policy, supervise  
plans, and monitors activities in the at  
turbance. A watch team is maintained t  
24 hours a day in the Army Operations C  
possible trouble spots and actual disorder

**Procedures.** In November 1970, the De  
fense revised its directive on civil distur  
to effect the following changes or additi

(1) Pre-positioning of more than a ba  
would be undertaken only with the info  
the President.

(2) The Secretary of the Army was  
bility for improving and evaluating the c

civil disturbance training assistance. The objective limits the use of Department of Defense civilians primarily to firefighting personnel, who may assist civilian authorities in connection with civil disturbances under certain conditions.

partment in the Army, manages the resources of the Army and Air Guard. The Bureau is manned jointly by Army and Air Force personnel.

Riot control has always been an ancillary function of the Army Guard and riot control training an integral part



Rally at the Washington Monument, May Day 1971.

## National Guard

National Guard units throughout the United States have assisted in controlling many riots and civil disorders during recent years, usually by aiding State and local police in this task. The Department of Defense plays a key role in National Guard capabilities by assisting in training and equipping the Guard.

The Guard may also come under the operational control of the Department of Defense during civil disorders, in the event that the President federalizes Guard units. This can be done in time of war, national emergency, natural disasters, or during civil disorders. Upon cessation of disorders, the federalized Guard reverts to State control.

Each State maintains a National Guard, under control of the Governor of the State. The District of Columbia National Guard is under direct authority of the President.

**Mission.** The National Guard has an ancillary mission to protect life and property and preserve order and public safety within the State it serves. Guard members take an oath of allegiance to the State, and when on State duty they are under State military control and are paid by the State.

The mission of the Guard is to provide units of trained

of Guard training. There has been an increased emphasis on this aspect of Guard training since the riots of 1967, when it became evident that more was involved than crowd control.

Training programs published by the Continental Army Command assure uniformity of Army National Guard civil disturbance training. Such uniformity is necessary to help the Guard carry out its function of augmenting active troops when both are employed.

**Special equipment.** In 1971, the Army inaugurated a new program to make special riot control equipment, such as face shields, riot batons, and tear gas, available to the States for use by the Guard in the event of civil disorders. In this way, the Guard has access to equipment less lethal than combat equipment, which is not generally suitable for riot control.

## Training and Equipment

**Training programs.** In 1964, the President instructed the Secretary of Defense to enlarge the existing Army program for the demonstration of riot control techniques and to develop a plan for incorporating these techniques

These programs include the Civil Disturbance Orientation Course (SEADOC) conducted by the U.S. Army Military Police School and riot control demonstrations for each session of the Federal Bureau of Investigation National Training Academy. Since the inception of SEADOC in February 1968, 2,840 persons from outside the Department of Defense have attended the course.

SEADOC is a week-long course conducted on an average of twice a month at the Military Police School at Fort Gordon, Ga. The course encompasses discussion of past civil disturbance operations, manifestations of dissent, police-community relationships, special threats, operational techniques, police intelligence, interagency authority and responsibility, legal aspects of managing civil disorders, and use of chemical munitions and special equipment.

Riot control demonstrations and seminars are conducted semiannually in support of FBI training.

**Equipment loans.** To reduce the likelihood that Federal troops or National Guard forces will have to be called upon in minor disturbances, the Department of Defense has instituted a formal program of temporary, emergency loans of military equipment and resources to civil authorities to help quell civil disorders.

Approval of loan requests is based on the sensitivity of the item requested. Requests for personnel, arms, and aircraft, for example, must be approved by the Department of Defense Executive Agent; while lower-echelon military commanders may approve requests for such protective equipment as masks, helmets, and armored vests.

During FY 1971, 40 loan requests from 15 cities were approved. Fifteen types of equipment were loaned with a total property value of \$288,698.

Length of the loan period depends on the seriousness of the situation. Those governments receiving the loans post fidelity bonds to guarantee return of the equipment.

**Fire departments.** Fires and arson frequently accompany civil disorders. As in the case of law enforcement generally, responsibility for fighting fires and protection of firefighting crews is the responsibility of municipal, county, and State officials.

In view of the extraordinary strains imposed on fire departments by civil disorders, however, the Department of Defense, under some circumstances, will provide emergency firefighting assistance. However, Department of Defense operating personnel employed in connection with loaned equipment may not be used in a direct law enforcement role. Nor may its firefighting equipment be used for riot control.

## Other Federal Programs

A number of other Federal agencies also are involved in various phases of dealing with civil disorders, including planning, research, prevention, control, and community assistance. A discussion of the programs under the auspices of these agencies follows:

Office of Criminal Justice Assistance (OCJA) in LEA oversees grants and a number of other programs aimed at assisting States and local units of government develop improved civil disorder control capabilities.

LEAA State Planning Agencies (SPA) have been used to analyze the problems or potential problems of civil disorders in their States and to set priorities and establish programs to prevent or deal with disorders. The civil disorder activities of OCJA include training and technical assistance to help SPAs develop plans and technical assistance capabilities.

**FY 1971 grants.** Discretionary grants during FY 1971 included funding for the development of statewide Civil Disturbance Technical Assistance Units, mutual aid compacts between local jurisdictions, prevention programs such as improved police-community relations, and emergency communication systems. Police training received continued support through funding of transportation per diem costs for civil officials attending the Civil Disturbance Orientation Course taught by the U.S. Army. A number of experimental research projects were also funded, in areas such as tension measurement, riot management, use of experimental equipment, and riot tactics training.

During FY 1971, the States used approximately \$10 million of their LEAA block action grant money in projects related to riots and civil disorders and received over \$2 million in discretionary funding for other projects in the area.

**Research.** Research into the nature, causes, and prevention of collective violence is funded by the National Institute of Law Enforcement and Criminal Justice, research arm of LEAA. In FY 1971, the Institute funded six such research projects through grants and interagency agreements. Research topics included police behavior during a college riot, violence problems affecting fire departments, the prevention and control of collective violence, and the effectiveness of an all-purpose communications and protective helmet in collective violence situations.

## United States Marshals Service

The United States Marshals Service, Department of Justice, also has played a major role in controlling civil disorders in recent years. The 94 United States Marshals are located in the Federal judicial districts throughout the United States and in Guam, Puerto Rico, the Virgin Islands, and the Canal Zone.

Among the responsibilities of the Marshals is the protecting Federal buildings and property, often during episodes of civil disorder. Marshals may be sent to riotous and potentially explosive situations and are dispatched on the order of the President.

Historically, the most widely publicized use of United States Marshals during potential or actual civil disturbances has been in escorting black children to schools in the early days of school desegregation. In January 1971, the

can respond to incidents by supporting communications, medical, and tactical equipment. Tests have shown that the force has a nationwide response time of 6 hours to metropolitan areas with adequate transportation facilities.

The special operations group has been deployed to protect Federal property at these locations: the District of Columbia, during the 1971 May Day demonstrations; Minneapolis, Minn., to remove a group of persons illegally occupying Federal property, also in May 1971; Alcatraz



Park Police on duty at May Day 1971 rally in Washington, D.C.

Island, Calif., in June 1971; Birmingham, Ala., in September 1971; Danbury, Conn., in October 1971; and Tocks Island, Pa., in August 1971.

## Community Relations Service

The Community Relations Service (CRS), Department of Justice, plays an important role in both the prevention and control of civil disorders. Under title X of the Civil Rights Act of 1964, CRS is charged with helping communities solve differences stemming from discriminatory practices based on "race, color, or national origin."

Operating in field offices in 32 cities, CRS representatives in areas experiencing upheaval attempt to bring parties together on a basis of understanding that may serve to prevent civil disorder. CRS conciliation efforts during disturbances include helping police departments establish rumor control centers, acting as liaison between demonstrating groups and the local authorities, and advising city officials on methods of resolving disputes.

to keep future racial peace, expanding a total of \$42,500 in manpower and travel.

## Department of Housing and Urban Development

A program of the Department of Housing and Urban Development provides companies with Federal reinsurance against losses from riots or civil disorders. This increases the availability of property insurance in metropolitan areas which may be subjected to civil disturbances and encourages the restoration of buildings following riot damage.

The reinsurance is provided for under title XI of the Housing and Urban Development Act of 1968.

Civil disorder for purposes of the Riot Reinsurance Program is defined as: "(1) any pattern of unlawful incidents taking place within close proximity as to time and place and involving property damage intentionally caused by persons apparently having civil disruption, civil disobedience, or civil protest as a primary motivation, at least two of which incidents result in property damage in excess of \$1,000 each; or (2) any occurrence of property damage in excess of \$2,000 caused by persons whose unlawful conduct in causing the occurrence clearly manifests their primary purpose of civil disruption, civil disobedience, or civil protest."

Riot insurance has been provided to insurers participating in a FAIR (Fair Access to Insurance Requirements) Plan, an insurance "pool" that makes property insurance more widely available, since August 1968.

## Department of Transportation

Police helicopters provided for purposes of traffic safety have been used for overseeing riot areas, lighting areas, and observing rooftops.

The helicopters have been funded by the National Highway Traffic Safety Administration, Department of Transportation, which has found that police departments cannot justify the cost of a helicopter for only one phase of police work, such as traffic supervision. A multipurpose program must be established to justify the cost, and that program often includes riot work.

## General Services Administration

The General Services Administration (GSA), charged with maintaining and protecting three-quarters of a million Federal employees in almost 10,000 buildings, has a special program to prevent damage or disruption from civil disorders.

GSA has developed specially trained and equipped mobile cadres, with an authorized strength of 160 men, to be available on immediate notice to cope with civil disorders. The cadres are located in major cities around the Nation and are ready to assist the 4,744 Federal protective officers and guards of GSA.

In addition, GSA contracted with the International Association of Chiefs of Police to develop a prototype course of instruction in subjects which included crowd and riot control. Training academies teaching the course were established in five cities to provide initial and refresher training.





By the end of 1968, the District of Columbia seemed caught in an upward spiral of crime that had no top.

The number of crime index offenses had risen from fewer than 6,000 in December 1958 to almost 28,000 in December 1968. Washington, D.C., was one of the top three cities in the Nation with 500,000 to a million people in numbers of murders, aggravated assaults, robberies, and burglaries. Crimes doubled from 1956 to 1961, redoubled from 1961 to 1966, and doubled again in the next 3 years.

On January 31, 1969, President Nixon, 11 days after taking office, called for action to begin "curbing crime and improving the conditions of life" in the city. He offered "a package of proposals that can at least help toward restoring the safety of life and property" and including "a commitment to give the people of the District of Columbia the voice they legitimately should have in the public policies that affect their lives."

The President outlined a framework of "local initiative and responsibility and fullest possible Federal support," including not only money but technical assistance. "The District of Columbia is the Federal City, and the Federal Government cannot evade its share of responsibility for the conditions of life in the District," he said.

**Court reform.** The President proposed more judges; a complete restructuring of the courts, including modern management and computer techniques; more staff, prosecutors, and attorneys in the Office of the U.S. Attorney; an assault on drug addiction and juvenile crime; bail reform and improved legal assistance for the poor; and a greatly expanded police force.

The Congress responded, enacting the D.C. Court Reform and Criminal Procedure Act of 1970, which incorporated many of the President's recommendations. The District of Columbia Government underwent intensive planning and some reorganization, using all available resources, including the findings and recommendations of the President's Commission on Crime in the District of Columbia, which reported in 1966 that crime measured by standard indicators probably was low because of the amount of unreported crime.

**Increased funding.** The Federal Government assigned high priority in budgeting to law enforcement in Washington. A concerted anticrime program began in 1969. High-intensity street lighting was installed in high-crime areas and around Federal buildings, a kind of visible symbol of the new effort that had begun.

Until more police could be recruited, overtime provided the equivalent of 1,000 extra policemen through a grant from the Law Enforcement Assistance Administra-

tion (LEAA) of the U.S. Department of Justice. Sharply increased patrols—foot, scooter, motorcycle, scout car, cruiser, and wagon—stepped up police visibility and effectiveness in preventing and dealing with street crime.

The scooter program expanded quickly, from 15 in June 1960 to 200 a year later and 300 in early 1972, combining maneuverability with speed. Another LEAA grant helped to operate three helicopters, providing a third dimension in tracking criminals, controlling civil disorders, and flying search and rescue missions.

**Lower crime rate.** In 1970 the crime rate dropped 5.2 percent, as measured by the Federal Bureau of Investigation Uniform Crime Reports of seven major crime index offenses: homicide, forcible rape, robbery, aggravated assault, burglary, larceny of more than \$50, and automobile theft.

From March 1970 to March 1971, total crime decreased 18.7 percent, and daily crime index offenses decreased from 170 to 138. The highest daily average of a month's index offenses—202.4—was in November 1969. Crime in February 1972 reached the lowest daily average—95.2—since February 1967. Crime in the first 5 months of 1972 decreased 27.9 percent from the same period in 1971.

This essay explores the mechanisms by which these changes have been brought about: Federal assistance, the programs, and the agencies which implement them.

## Visitors and Petitioners

The District of Columbia is both the seat of Federal Government for all Americans and the repository of much of the artistic and historical treasure of the Nation.

As such, the Capital is host to millions of American and foreign visitors each year; the figure surpasses 2 million visitors per month in the summer.

All law enforcement agencies in the city, and particularly the Metropolitan Police Department, have a special responsibility to protect and assist these visitors at all times.

In addition, as the seat of Government, the District of Columbia is the proper focal point for citizens of all political and philosophical persuasions to exercise their First Amendment right to assemble and petition Government for redress.

In the past decade, political demonstrations have on occasion reached massive proportions, as in the civil rights demonstrations of the early 1960's. As a rule, most demonstrations have been orderly and peaceful; but some have not.

It is the duty of the Metropolitan Police Department—



## Office of Criminal Justice

The Office of Criminal Justice, in the U.S. Department of Justice, recommends and helps to implement changes to improve criminal justice throughout the Nation and particularly in the District of Columbia. The Associate Deputy Attorney General in charge of this office is also a member of the D.C. Criminal Justice Coordinating Board.

In FY 1971, the Office of Criminal Justice helped to carry out the provisions of the District of Columbia Court Reform and Criminal Procedure Act by processing appointments to the expanded court system and to the new Commission on Judicial Disabilities and Tenure. The Office also explained the criminal provisions of the act to the District of Columbia Bar and other interested officials.

The Office assisted the District of Columbia in other activities. It formulated amendments to the Bail Reform Act of 1966, and it assisted in argument on a case in the D.C. Court of Appeals in support of the principle that a trial judge may order a suspect to appear in a police lineup on the basis of reasonable grounds which do not, necessarily, amount to probable cause for arrest.

## Background

The Constitution sets forth the basic guidelines for the National Capital's municipal government. The Congress has sole legislative authority over the Capital, but it has delegated some of this authority to the District of Columbia Government, such as general police powers and health, welfare, and licensing activities.

## The Federal City Concept

The congressional decision to locate the Capital in a new city built on Federal territory rather than in an existing city was made in 1790. An incident 7 years earlier provides some insight into this decision: unpaid Continental Army troops with fixed bayonets surrounded the State House in Philadelphia, where the Congress was meeting, demanding overdue pay. The Philadelphia militia declined to come to the rescue. The Congress repaired to Princeton, N.J., to continue deliberating, and subsequently, with this episode fresh in mind, a separate territory—with its own militia—was provided for in the Constitution.

Since 1800, when the District of Columbia became the official Capital City, the Congress has changed the form of municipal government of the city six times. There have been mayors, aldermen, councilmen, and commissioners, sometimes elected, sometimes selected; but the prevailing

trend has been toward appointment. In 1802, the city of Washington was incorporated with an elected 12-member council and an appointed mayor. In 1812, an elected board of aldermen was added, which together with the council, selected the mayor. In 1820, the mayoral post became elective.

A big change came in 1871, when a territorial government was installed, with an appointed Governor and 11-member council, an elected 22-member House of Delegates, and an elected nonvoting delegate to the U.S. House of Representatives.

Then, in 1874, territorial government was revoked and a temporary commission form of government was established.

From 1878 to 1967, the President appointed a supervisory Board of Commissioners composed of two civilians and one Army Corps of Engineers officer. The only other change in those 89 years, beside merging the cities of Washington and Georgetown in 1895, was ratification of the 23d Amendment to the Constitution in 1961, restoring to District of Columbia residents the right to vote for a President, a right they had lost in 1874.

The present City Council system, led by a mayor (his actual title is Commissioner), was instituted in 1967. The President, with Senate approval, appoints the Commissioner, a deputy, and nine Councilmen-at-large.

Legislation in 1968 provided for an elected rather than appointed School Board, and in 1970 for an elected nonvoting delegate to the House of Representatives.

## Government Operations

**Role of the President.** The President, besides appointing the Commissioner and City Council, sends the city's proposed budget to the Congress each year, along with the budget of the Federal Government. He also screens the city's legislative requests to the Congress. In times of crisis or emergency, the President may call on the National Guard and Armed Forces. The President also appoints judges to the D.C. Superior Court and the D.C. Court of Appeals, with the advice and consent of the Senate.

**Role of the Commissioner and Council.** The Commissioner has broad executive authority to organize and manage most of the departments of city government and to prepare the city's budget (but not the judiciary budget, which may be changed only by the Congress). He may veto the Council's actions, and the Council may override his veto by a three-fourths vote of the members voting.

**District of Columbia Courts.** The District of Columbia court system, before its recent reorganization, was a municipal court system. All but petty cases went to the U.S. district court. Now, the District of Columbia courts have received State court status, and the U.S. district court tries only Federal cases.

**Differing systems.** The District of Columbia has many of the functions of a State, but it remains a city. Some of its administrative systems conform to Federal standards and regulations; others have been exempted. For instance, it has separate personnel systems for policemen, firemen, teachers, and Wage Board (blue-collar) workers. Departments such as welfare, corrections, civil defense, and police are subject to competitive U.S. Civil Service Commission regulations; others are exempt and have similar but noncompetitive classifications.

**Metropolitan resources.** A surprising number of public and private agencies in the District of Columbia contribute to the crime prevention and law enforcement effort and receive Federal assistance in making their contributions. These agencies range from the obvious ones—police, courts, and correctional institutions—to a broad spectrum of social service agencies, including those that contribute to law enforcement primarily during civil disorders and emergencies.

The remainder of this essay consists of descriptions of the agencies involved and their activities, as supported by Federal assistance.

## Planning and Funding Crime Reduction

The District of Columbia, like all jurisdictions that receive funds from the Law Enforcement Assistance Administration (LEAA) of the Department of Justice, must maintain a State Planning Agency (SPA) to design a comprehensive plan for improving law enforcement and to direct LEAA funds to the programs that carry out that plan.

This comprehensive planning began in the District of Columbia soon after the Congress enacted the Omnibus Crime Control and Safe Streets Act of 1968, the act which established LEAA itself. Every year since 1969, the District has submitted a comprehensive plan to LEAA for improving criminal justice and to project funding requirements for the next 4 years. The Office of Criminal Justice Plans and Analysis (OCJPA) does this for the District and is its State Planning Agency.

In FY 1971, OCJPA received \$175,000 from LEAA to develop its comprehensive plan. This planning grant was followed by \$1,374,000 in a block action grant made after LEAA approved the comprehensive plan. The size of the block action grant is determined by population.

In addition to these grants, LEAA awarded more than \$4 million to OCJPA in discretionary grants to carry out especially promising projects without regard to a population formula. OCJPA then conveyed this assistance to projects implementing the comprehensive plan.

This kind of comprehensive planning enables OCJPA to examine the entire criminal justice system and to target its resources on areas where they promise to have the greatest impact. OCJPA has emphasized these areas: police improvement, especially through training and overtime; drug abuse treatment, including such programs as methadone maintenance; and corrections improvements through a number of community-based programs.

OCJPA coordinates planning with funding. It provides technical assistance to agencies developing project proposals, and it continuously monitors and evaluates the projects.

## Structure of OCJPA

OCJPA is part of the D.C. Office of Planning and Management, and that office, in turn, is part of the Executive Office of the Commissioner, who is more usually called the Mayor. OCJPA is led by a director and a deputy director. It has five units: a Division of Planning and Evaluation, a Division of Grants Management, an Office of Crime Analysis, a Division of Administrative Services, and a Civil Disorders Technical Assistance Division.

The Office of Crime Analysis generates the greatest input to comprehensive planning; it is responsible for collecting, analyzing, and evaluating information on all aspects of crime and how it is handled. These data help to pinpoint needs and measure the impact of what the District does about those needs.

A supervisory board guides OCJPA, the D.C. Criminal Justice Coordinating Board. Under the chairmanship of the Commissioner, this board has 29 members who represent the District of Columbia Government, the Federal Government, and the community. It meets at least once a month, and subcommittees work throughout the month to solve specific problems.

The central purpose of the board is to advise the Commissioner about law enforcement programs and goals, to recommend improvements, and to coordinate the policies evolved to achieve these goals. The board considers OCJPA recommendations, but it makes the final decisions about which projects should be funded. The Commissioner and the board must approve the comprehensive plan before it is submitted to LEAA.

Coordination is not the exclusive province of the Criminal Justice Coordinating Board; the D.C. Public Safety Group plays an important role, too. The Deputy

From these meetings the group derives the information it needs to give the Commissioner and his Deputy the information they need to make decisions.

## Planning Process

Comprehensive planning begins with setting goals, designing programs to achieve them, and preparing budgets to pay for them. OCJPA does this with the advice and approval of the Criminal Justice Coordinating Board, and it does it by cooperating with agencies of the local criminal justice system as well as other agencies, such as the District of Columbia Budget Office, the Department of Human Resources, the Model Cities Program, the Office of the Coordinator of the Highway Safety Act, the City Council, specific Committees of the Congress and representatives of the executive branch.

Conferences with the directors of agencies about their problems and priorities enable OCJPA to coordinate planning. These conferences have been held with, among others, the director of the Narcotics Treatment Administration, the Chief of Police, the director of the Department of Corrections, the Corporation Counsel, the U.S. Attorney, the Chief Judge of the Superior Court, and the special assistant to the Commissioner for Youth Opportunity Services.

New and significant tools have recently been designed by OCJPA to make its plans:

- (1) TRACE (Tracking, Research, and Analysis of Criminal Events) is a computerized system to track offenders through the criminal justice system and to develop data to help determine how the system can be improved;

- (2) A planning, programming, and budgeting system being developed by OCJPA and the Office of Budget and Program Analysis will be used to refine goals by setting measurable objectives and then designing the measuring tools;

- (3) OCJPA is developing research programs and ways to improve evaluation by applying certain proven criminal justice indicators.

## Victimization Survey

In order to establish sound public safety priorities, OCJPA's Office of Crime Analysis undertook in FY 1971 the Survey of Citizens' Reaction to Crime. The survey was carried out in three areas of Metropolitan Washington: the Model Cities Neighborhood, the rest of the District of Columbia, and the inner beltway suburbs. A \$68,118 LEAA grant and a \$19,400 Model Cities grant paid for this survey.

District of Columbia residents are more concerned about crime as a national problem than are suburbanites, a preliminary report of this survey's findings indicates.

A large majority of the people surveyed was concerned about increased crime nationally; a smaller majority was concerned about increased area crime; but a minority

were "not tough enough."

Most area residents indicated willingness to testify in court as witnesses to crime. A majority of city dwellers thought witnesses should be paid, but a majority of suburbanites disagreed. Suburbanites were more likely to report teenage vandalism and shoplifting than city dwellers.

## Project Development

Project proposals are submitted by private and public groups and individuals. OCJPA provides advice and technical assistance to develop these proposals in order to forward its broad aims. These proposals themselves indicate what the criminal justice system needs, so OCJPA project development is increasingly integrated with planning.

First, OCJPA reviews and analyzes proposals. Then it sends them to the Criminal Justice Coordinating Board with its recommended priorities. The Board's Subcommittee on Project Proposal Review studies the proposals and returns them to the full board with its recommendations. The board decides which proposals to implement.

LEAA funds 75 percent of most action projects; the remaining 25 percent is then provided by the District of Columbia. The Board sometimes decides that other sources of funds should be sought for certain proposals.

Some proposals come in for extra scrutiny. Proposals involving drug abuse, for instance, are sent to the Narcotics Treatment Administration for comments and recommendations. Similarly, proposals that relate to juvenile delinquency are reviewed by the Office of Youth Opportunity Services, and proposals that concern housing are reviewed by the Department of Corrections. Comprehensive planning and coordination underlie the procedure.

## Monitoring and Evaluation

When the board approves a proposed project and LEAA funds it, the applicant is notified of the award and receives what is known as a subgrantee; OCJPA is the grantee.

A project is monitored throughout its lifetime to assure that it remains consistent with the goals set down in the proposal, and it is also evaluated to determine how well it achieves these goals.

OCJPA accomplishes this monitoring and evaluation by analyzing types of information relevant to the project: information about how the project is operated by the organization responsible for it; crime statistics from the Office of Crime Analysis; criminal, social, and economic indicators provided by the agencies linked by the comprehensive plan; and various other reports and project studies.

Subgrantees, the originators of the proposal, must submit quarterly financial reports and must keep in-

# Metropolitan Police Department

The District of Columbia Metropolitan Police Department (MPD) protects the lives and properties of approximately 760,000 residents of the District of Columbia. It must also protect visitors who number up to 2 million a month in the summer and thousands of suburban residents who commute to and from jobs in the city daily. There are more than 68 square miles in the District of

- ☐ Technical Services, which includes the Central Records, Communications, Property, and Operations Planning and Data Processing Divisions; and
- ☐ Inspectional Services, which includes the Internal Affairs, Field Inspections, Morals, and Intelligence Divisions.

## LEAA Funding

LEAA assistance to the Metropolitan Police Department since the spring of 1970 has included:



Funding by the Law Enforcement Assistance Administration has helped to upgrade Metropolitan Police Department operations.

Columbia, 1,352 miles of streets, and 447 miles of public alleys.

Police operations focus on reducing crime and traffic accidents by prevention and detection, by enforcing applicable laws in cooperation with Federal law enforcement agencies when necessary, by employing the latest techniques in criminology, and by conducting community relations programs.

The department is divided into four bureaus:

- ☐ A \$1.25 million grant for overtime, providing an equivalent of 1,000 extra policemen until more men and women could be recruited;
- ☐ A \$157,000 grant to combat organized crime;
- ☐ Three grants totaling \$342,000 to operate three helicopters and train nine pilots;
- ☐ A \$153,000 grant for a model program in dispatch and control procedures that will result in a computerized demonstration model available to every police department in the Nation for testing dispatch and control patterns;

The Metropolitan Police Force is the first police in the country to use scooters in significant numbers as a major patrol strategy, and may well become a model for other cities.



Police helicopter capability was made possible following pilot training by the U.S. Army.

- ☐ A \$135,000 grant to modernize completely the recruit training curriculum;
- ☐ A \$100,000 grant to develop a Command and Control Master Plan, assessing and identifying needs and projecting detailed equipment requirements; and
- ☐ Other grants totaling \$76,000 to improve management and operational functions.

**Increased patrols.** Patrol activities increased from a daily average of 1,000 in FY 1969 to 1,221 in FY 1970, and 1,477 in FY 1971. Innovative neighborhood patrol and

**Recruitment.** The authorized strength of the department has risen from 3,100 (excluding cadets and civilian employees) in early 1969 to 5,100. Actual strength increased by a total of 1,945, to 5,100 by September 1970. The recruits included 60 women, 110 college graduates and 830 blacks.

During 1970 a prospective recruit could take the entrance examination from the U.S. Civil Service Commission immediately instead of waiting until his name came up, which materially speeded up the recruitment process and made large numbers of recruits available quickly. The Commission also publicized the recruitment program extensively, especially for women.

The recruiting effort was assisted by the "early out" program of the U.S. Department of Defense. This program, begun in 1968, authorized discharges 6 months early for servicemen and women who could show a letter of acceptance as a police recruit. The program ended in 1971.

## Department of Defense Assistance

The Department of Defense provides certain types of anti-crime assistance to the District of Columbia under Department of Defense Directive 5030.46, "Assistance to the District of Columbia Government in Combating Crime." The Directive provides for the use of military resources to assist law enforcement in the District of Columbia and designates the Secretary of the Army as Executive Agent for overseeing such assistance.

Military resources which the District of Columbia may request include personnel in non-law enforcement capacities, military training facilities for use by District law enforcement personnel, and military equipment and supplies.

In FY 1971, the effort by the Metropolitan Police Department to initiate helicopter capability precipitated several requests for military assistance. The Army provided pilot training for 10 police officers at the Army Primary Helicopter School, Fort Wolters, Tex. Later in the year, the Army gave two surplus helicopters to the Metropolitan Police Department and provided proficiency flight training to nine police pilots. The Navy provided the Metropolitan Police Department with temporary use of a helicopter facility to accommodate three leased helicopters, and the Air Force is furnishing the necessary aviation fuel. All incremental costs involved are being reimbursed to the Department of Defense.

Other military assistance to the District of Columbia has included providing five Army radio technicians to retune and install new crystals in 200 portable police radios and assistance in installing two-way radio-telephone transceivers in 546 police vehicles.

## Pilot Police District Project

An experimental program to improve police-community relations in the inner city and to improve police response to residents' needs was funded by the U.S. Office of Economic Opportunity in FY 1969 through the Government of the District of Columbia.

Citizen participation. An elected Citizens Board was created to participate in directing these seminars, advise on policy decisions, and maintain police-community liaison. These tasks included posting community bulletin boards, publishing a project newsletter, surveying community opinion and assets, conducting a media-oriented public information program, and sponsoring six seminars explaining self-protection and security techniques to businessmen, beauticians, teachers, clergymen, and homemakers.

Community services. Another component of this project has sought to establish or expand needed community services. To do this, three Nighttime-Weekend Emergency Service Centers make referrals to other services and programs during hours when most city offices are closed. This is one of the FY 1971 projects awarded LEAA funds; the other provided training to prospective Metropolitan Police Department applicants.

A resident volunteered at each Third Police District station to furnish social service and non-legal assistance. This freed policemen for other tasks.

Other activities in this project included a Junior Police Cadet Corps and Courtesy Patrol, citizens riding with policemen in patrol cars, and action against drug abuse and addiction.

Recruitment and training. The third component of the Pilot Police District Project, Police Operations and Procedures, focused on recruiting and promoting black residents of the District of Columbia in the Metropolitan Police Department. The training program for prospective applicants offered short- and long-term coaching for the police entrance examination, the latter with a training stipend. A parallel stipended study program was offered for the promotion examination.

## Model Cities Program

Law enforcement and crime prevention play important roles in a number of District of Columbia Model Cities projects.

Planning for the Model Cities Program began in 1966, the year that the Congress enacted the Demonstration Cities and Metropolitan Development Act. A \$9.6 million plan for the first action year was submitted by the District to the U.S. Department of Housing and Urban Development, which administers the act, in August 1969, and 42 projects were begun between April 1970 and November 1971. The second action year began in February 1972.

Projects with law enforcement and crime prevention components included:

(1) Northeast Neighborhood House—\$301,145 for recreation, cultural enrichment, counseling, training, and employing Stanton Park youths;

tional facility for boys 7 to 18 years old;

(6) Dropout prevention—\$118,000 to a Federal City College tutoring, counseling, and referral program for Model Neighborhood residents who had left school, as



District of Columbia probation officers meet to discuss cases.

well as for a dropout prevention plan for the next year;

(7) Adult Education Demonstration Center—\$164,000 to the District of Columbia Public Schools to provide educational, vocational, and counseling services to 300 Model Neighborhood residents;

(8) Truancy prevention—\$142,560 for investigation, counseling, and referral for 621 potential truants in five Model Neighborhood schools;

(9) Model Cities Scholarship Fund—\$200,000 for post-secondary scholarships for 300 to 350 Model Neighborhood residents;

(10) Victimization and Potential Victimization Survey—\$19,400 for a D.C. Office of Crime Analysis survey

of approximately 570 Model Neighborhood residents to determine the amount of crime they had experienced and to gather data on their attitudes toward crime and criminal justice for a larger survey;

(11) Multiservice Youth Center—\$49,470 for the United Block Association to provide a recreational, cultural, and vocational training facility and program for 13- to 21-year-old youths in the Stanton Park area south of H Street, Northeast; and

(12) Drug Addiction Treatment Center—\$215,172 for the Narcotics Treatment Agency of the D.C. Department of Human Resources to provide treatment for approximately 500 Model Neighborhood residents as well as a community prevention-education program.



The District of Columbia is divided into nine service areas. Each has a Service Area Committee made up of one representative from each of 17 or more agencies operating in the neighborhood, such as fire, police, corrections, economic development, environmental services, highways and traffic, human rights, human resources, libraries, manpower, schools, recreation, youth opportunity, redevelopment, national parks, housing, and planning.

Approximately 20 to 35 percent of these Service Area Committees' efforts has been directed toward law enforcement and crime and delinquency prevention. This percentage is growing, spurred by the recent emphasis on such programs as truancy prevention aimed at pre-delinquent youth.

## Courts, Prosecution, and Defense

The Court Reform Act of 1970 raised District of Columbia courts from municipal to State court level. The former D.C. court of general sessions, which had limited jurisdiction, was combined with the former D.C. Tax Court and Juvenile Court to become the D.C. Superior Court, with expanded jurisdiction. Appeals from the D.C. Superior Court may be taken to the D.C. Court of Appeals and then to the Supreme Court. In the past, appeals from the former Municipal Court of Appeals were taken to the U.S. Court of Appeals, and then the Supreme Court.

## Components of Reform

A basic feature of the Court Reform and Criminal Procedure Act was the establishment of a Court Executive with a staff of seven to handle administration which had been the duty of the chief judge. This Court Executive acts as a staff arm to the Joint Committee on Judicial Administration. Executive staff duties include jury management, appointment of nonjudicial personnel, mechanization and computerization of operations and services, budgeting, management of facilities, construction, and maintenance. The Court Executive supervises the fiscal officer, the auditor-master of D.C. Superior Court, and the director of social services.

**Structure of Superior Court.** The Superior Court has six divisions: criminal, civil, family, tax, courtroom operations, and the Marriage Bureau. Its staff includes 37 judges and 700 supporting positions. The FY 1971 budget

was almost \$18 million, including \$6.5 million in cash income. The remainder was supplied by congressional appropriation.

By the time a prescribed 3-year transition period ends in August 1973, the Superior Court will have assumed complete jurisdiction over all local civil and criminal matters.

The new Family Division, which combines the former Juvenile Court and the Domestic Relations Branch of the court of general sessions, has implemented an innovative concept in handling family difficulties. The concept of the intrafamily offense embraces any criminal offense committed within a family, such as an assault during a family altercation. Before reorganization, such offenses came before the court as criminal offenses or not at all.

The Intrafamily Disputes Branch of the Family Division now handles such cases through family counseling, thereby providing relief to the families, diverting many cases from court, and reducing the criminal case load. This branch also handles any case involving a threat to a child's welfare by the conduct of any member of his family.

Other innovative practices include augmenting the paid social service staff with volunteers, called The Friends of the Superior Court, and Project Crossroads, a pretrial diversion program for young offenders with employment difficulties. The youthful offenders are given an opportunity to choose, as an alternative to prosecution, help in finding a job, including counseling, training, and placement.

**Felony prosecution.** Before court reorganization, all felonies were prosecuted in the U.S. district court. The court of general sessions experienced a case load that more than doubled from 1966 to 1970, reflecting not only more misdemeanors committed, among other factors, but also more plea bargaining, with felony charges reduced for prosecution as misdemeanors in the court of general sessions because of the caseload in the U.S. district court. A major motive of court reorganization was to help reduce crime in the District of Columbia by prosecuting more felonies as felonies and by shortening the time between arrest and trial.

The 4,141 felony indictments in the District of Columbia in calendar 1971 represented more than double the yearly average for the previous 20 years: 1,841 in the D.C. Superior Court and 2,300 in the U.S. district court, which was still in the process of transferring jurisdiction on non-Federal felony offenses to the D.C. Superior Court. Felonies now come to trial in the D.C. Superior

for nonjury trials.

**Appeals.** The D.C. Court of Appeals, which hears appeals from the D.C. Superior Court, has nine full-time judges, three retired judges who serve part-time, and a staff of 32 persons. Its FY 1972 appropriation from the Congress was \$1.126 million. The President appoints judges to 15-

The U.S. Court of Appeals for the District of Colum Circuit hears appeals from the U.S. district court, U.S. Tax Court, and Federal administrative agencies; has 9 judges, two senior retired judges, and a staff of persons. The FY 1971 budget was approximately \$ million. The District of Columbia paid \$7.272 million



represents indigents in felony, misdemeanor, mental health and juvenile cases. The D.C. Bail Agency was upgraded by the court reform act from an interviewing agency to one with responsibility for advising the court on pretrial release matters.

Two court-related discretionary grants were awarded by LEAA in FY 1971 through the D.C. Office of Criminal Justice Plans and Analysis:

(1) \$155,070 to the National Conference of Metropolitan Courts in Detroit, Mich., to examine and evaluate metropolitan courts on a continuing basis by visiting judiciary panels;

(2) \$163,950 to the National Center for State Courts in Washington, D.C., to serve as a clearinghouse for State court research and techniques to improve court administration.

## Office of the Corporation Counsel

The Corporation Counsel is the District of Columbia Government attorney and chief legal officer. He prosecutes all cases not prosecuted by the U.S. attorney and defends the District of Columbia Government from suits against it. His office drafts legislation, legal opinions, briefs, and amendments to municipal ordinances and regulations. His office also performs legal research for the District of Columbia and represents the District of Columbia as plaintiff in civil cases.

A study of the Law Enforcement Division conducted during July 1971, believed to be a representative month, showed that 21 percent of nontraffic cases and 9 percent of all cases resulted in informations prepared for court; workload records are kept only on informations. The remainder of the cases resulted in continuances, "no papers," no charges, forfeitures of collateral, nolle prosses, or referrals to Traffic School.

The Law Enforcement Division prepares and tries cases involving violation of municipal ordinances before the Criminal Division of the D.C. Superior Court. Division informations involving traffic violations totaled 47,200 in FY 1971 and 42,300 in FY 1970, compared with 16,400 nontraffic informations in FY 1971 and 6,800 in FY 1970. The most frequent nontraffic cases involve disorderly conduct, illegal possession of guns, or infractions of regulations concerning health, minimum wages, and industrial safety.

The other division most directly related to crime prevention and law enforcement is the Juvenile Division; it filed 9,600 juvenile cases and 1,800 adult cases in FY 1971 in the Superior Court Family Division.

## U.S. Attorney for the District of Columbia

The U.S. attorney prosecutes all criminal cases in the District of Columbia except those involving municipal reg-

Probation officer takes notes during counseling session with client.

narcotics sales, major gambling, and large-scale handling of stolen goods;

(3) Special Proceedings, which represents the United States in mental health, habeas corpus, and drug user proceedings before the U.S. district court and the D.C. Superior Court;

(4) Appellate, which handles appeals from the U.S. district court and D.C. Superior Court; and

(5) Civil, which represents the United States before the U.S. district court and the D.C. Superior Court in cases involving the Federal Government.

After staff additions called for by the President, the authorized staff of the Office of the U.S. Attorney doubled; now it has 140 assistant U.S. attorneys and 110 supporting staff members. The FY 1971 budget for this office was almost \$3.7 million. Approximately 75 percent of this amount was in the form of reimbursement from the District of Columbia to the U.S. Department of Justice for the services rendered the District of Columbia by the Office.

A \$6,075 grant from LEAA to the Office financed a telecopier document transmission system that began operating in September 1971. Using telephone lines to transmit copies of documents, this system links the Office with nine other criminal justice agencies that formerly dispatched most of their paperwork by messenger. The system has quickened the flow of work. Its costs after the first year will be divided among participating agencies.

## Department of Corrections

The D.C. Department of Corrections administers five facilities:

(1) The D.C. Jail, where men serve short sentences or await trial, final court decisions, or transfer, has a normal capacity of 663, with an average population of 1,092 in FY 1971 and 1,186 in FY 1972.

(2) The Women's Detention Center, for booking, processing, and detention of women serving short sentences or awaiting trial or transfer, has a normal capacity of 50, with an average population of 90 in FY 1971 and 94 in FY 1972.

(3) The Correctional Complex at Lorton, Va., about 20 miles from the District of Columbia, is for the custody, treatment, and rehabilitation of men sentenced to its Minimum Security Facility, medium-security Lorton Reformatory, or its Maximum Security Facility. It has a normal capacity of 1,684, with an average population of 1,632 in FY 1971 and 1,952 in FY 1972.

(4) The Youth Center at Lorton, for men 18 to 26 (18 to 22 at the time of their conviction) sentenced under the provisions of the Federal Youth Corrections Act, has a normal capacity of 324, with average populations of 362 in FY 1971 and 360 in FY 1972 (Youth Center No. 2 opened in May 1972, with a capacity of 225).

(5) The Department's 14 Community Corrections Centers are designed to supervise and attempt to rehabilitate parolees and misdemeanants who are working or learning and, in some cases, provide alternative treatment for young offenders.

**LEAA assistance.** The Department of Corrections received two discretionary grants from LEAA in FY 1971: \$99,039 for a Regional Correctional Training Academy, and \$222,751 to offer psychiatric treatment in the Correctional Complex. The academy serves managers and trainers from correctional systems in the District of Columbia, Virginia, Maryland, Pennsylvania, and Delaware. The Lorton psychiatric service can provide case work, evaluations, rehabilitation, and group and family therapy to 15 inpatients and 100 outpatients.

A \$219,000 grant from the U.S. Office of Economic Opportunity underwrote the establishment of the Center for Correctional Justice in the Lorton Youth Center. Its purpose is to resolve inmates' grievances by arbitration, negotiation, and mediation, without resorting to the courts.

LEAA assistance enabled the Prison College Project to offer higher education to Lorton inmates in cooperation with Federal City College in the District of Columbia.

Two other projects designed to place ex-offenders in good jobs and ease their re-assimilation into the community—Efforts From Ex-Convicts (EFEC) and Inmate Personnel System and Career Structure—received block grant help from LEAA.

Federal grants to the D.C. Department of Corrections for FY 1971 and 1972 break down as follows:

Grants for Corrections		(Thousands)
Department of Labor:		
Project New Hope (educational and prevocational training) . . . . .		\$267.0
Common market (supportive social services) <sup>1</sup> . . . . .		78.3
Data processing (vocational training) <sup>1</sup> . . . . .		246.4
Washington Technical Institute <sup>1</sup> . . . . .		169.1
Subtotal . . . . .		760.8
Joint Department of Labor/Department of Health, Education, and Welfare:		
Prevocational training . . . . .		207.0
Joint Model Cities and Office of Criminal Justice Plans and Analysis:		
Comeback (community and social services) . . . . .		64.5
Office of Criminal Justice Plans and Analysis:		
Correctional interagency liaison (supportive services) . . . . .		16.3

ment of Justice:  
 Warrant squad (supportive services) . . . . .  
 Psychiatric treatment center at Lorton . . . . .  
 CRISYS (planning, research, and automatic data processing) . . . . .  
 Long-range planning . . . . .  
 Washington Halfway Houses for Women (psychological, counseling, and medical services) <sup>1</sup> . . . . .

Total . . . . .

<sup>1</sup> Pending as of February 1972.

## Board of Parole

The District of Columbia Board of Parole determines when, how, and why offenders may be released into the community under parole supervision. It formulates conditions that parolees will abide by as well as standards for their supervision upon release from correctional facilities. It may issue warrants for the arrest of parole violators, and it may act to release or charge parolees from further supervision when circumstances so warrant. The Board also recommends court sentencing alternatives and may recommend reductions in the minimum sentences imposed by the courts.

The three members of the Board are appointed by the Commissioner of the District of Columbia.

LEAA granted \$27,400 in discretionary funds to the board in FY 1971 for a Parole Prediction and Evaluation Project to develop sophisticated techniques for predicting parolees' performances in the community. One of the goals of this project is to apply these techniques to the supervision of parolees.

Half the 603 cases being studied are adults from the calendar 1968 and 1970, and half are youths from the calendar 1969 and 1970. Arrest and institutional records are included in the profiles as well as employment history, press reports from parole supervisors; no personal interviews are being used. The goal of the project is to form a profile of success and failure that can be used to predict performance.

## Protecting the Federal Government

The District of Columbia has, as part of its crime prevention and reduction responsibilities, the special duty to protect officials, employees, and facilities of the Federal Government at all times, including times of civil unrest in the city.

In this role, it receives assistance from the Federal Government on a timely basis and on a level sufficient to assure the normal operations of the Government.



U.S. Park Police on duty during May Day 1971 demonstrations.

The Metropolitan Police Department has a continuing duty to protect the President and his family, certain other Federal officials and political candidates, the Congress, the Supreme Court, and foreign embassies and dignitaries, as well as all official and private visitors and dignitaries who enter the District of Columbia.

Immediate protection of the White House is the duty of the Executive Protective Service of the United States Secret Service; this unit also assists the Metropolitan Police Department in protecting foreign missions.

Immediate protection of the Capitol and of the Congress is the duty of the United States Capitol Police. The Supreme Court building is protected by its own 55-man police force under the supervision of the Marshal of the Supreme Court.

Threats to the safe and steady operations of the Government may come in the form of bomb threats, criminal assaults on individual officials, and in other forms.

The most persistent threat in the past 2 or 3 years, however, has come in the form of groups of demonstrators having the avowed purpose of disrupting the operations of Government and bringing those operations to a halt.

In 1968, a serious disorder followed the assassination of the Rev. Dr. Martin Luther King, Jr.

The Metropolitan Police Department has major operational responsibility for controlling civil disorders. The District of Columbia Office of Civil Defense assumes the bulk of the administrative work.

The District of Columbia Office of Civil Defense plans for and deals with a variety of emergencies, including civil disorders. When they erupt, the office coordinates communications between all District of Columbia and Federal activities involved in coping with them.

To do this, the Office of Civil Defense may, if the Commissioner requests it, step up activities in its command center in the City Municipal Center. This emergency facility is manned in emergencies by a dozen District of Columbia Office of Civil Defense staff members and representatives from other District of Columbia, Federal, and private agencies that coordinate during disturbances.

District of Columbia Office of Civil Defense street observers tell this command center the location, size, and character of disorders. The center then informs the Commissioner and transmits his orders back to the field precisely and quickly.

In FY 1971, expenditures by the District of Columbia Office of Civil Defense related to civil disorders were \$20,250. Federal grant aid from the Department of Defense, Defense Civil Preparedness Agency (DCPA), accounted for \$5,100 of this on the basis of dual use of a grant primarily for Civil Defense purposes.

Coordinating the District of Columbia response to civil disorder is not the only role of the District of Columbia Office of Civil Defense. The office staff monitors potential emergency situations 7 days a week.

The Congress appropriated \$226,400 of the District of Columbia Office of Civil Defense \$387,000 FY 1971 budget. Federal grants from the DCPA supplied \$160,600; although this sum was provided on the basis of preparedness against enemy attack, programs for which this sum was expended provide a dual capability applicable to all types of emergency operations.

## National Guard

The District of Columbia Militia, established by the Congress in 1802, was the forerunner of the present National Guard. The Guard has a twofold purpose: to supplement the Army and Air Force in war or national crisis, and to protect the District in emergencies when ordered by the President or another competent Federal authority.

When a civil disorder or mass demonstration in the District of Columbia is sufficiently serious, the President may direct the D.C. National Guard to assist the Metropolitan Police Department. This procedure is accomplished by the appointed Department of Defense representative authorizing the commanding general to com-

command the military operations, including training, parades, and other duties of the National Guard while in militia status.

In FY 1967, the National Guard of the States, District of Columbia, and the Commonwealth of Puerto Rico were directed by the Department of Defense to conduct on a priority basis 32 hours of civil disturbance training. Three thousand District of Columbia National Guardsmen were given an additional 40 hours for a total of 72 hours in FY 1967. In FY 1968, District of Columbia National Guardsmen received 32 hours of civil disturbance training with officers and key noncommissioned officers receiving an additional 16 hours of training. Subsequently a minimum of 16 hours of civil disturbance training has been conducted annually.

Beginning in 1967, the District of Columbia National Guard has been alerted or committed a total of 23 times in support of the Metropolitan Police Department in the control of mass demonstrations or civil disorders. Since 1968, the District of Columbia National Guard, through intensive training and receipt of necessary equipment, has developed a high degree of proficiency in supporting the civil authorities in the conduct of civil disturbance control. To improve response time, alert rosters and alert procedures are constantly updated and tested. Communications systems, particularly in the civil defense net, have improved and provided a reliable and readily available means of support. The last reorganization of the National Guard authorized for the District of Columbia an infantry battalion in addition to existing units. This unit has been organized, thereby permitting more motorized patrol elements, as well as a substantial reserve force.

The District of Columbia National Guard was called out five times in FY 1971 during demonstrations and disorders. The strength of the Guard at these times ranged from 904 men on standby status for 1 day to 1,919 men for 5 days.

## Department of Defense Assistance

The District of Columbia, like the 50 States, may receive help from the Department of Defense during civil disturbances.

A Federal law known as the Posse Comitatus Act restricts the use of Federal military forces to execute laws, but the Constitution and acts of the Congress set forth certain exceptions.

**The May Day demonstration.** One of the two exceptions is especially relevant to the District of Columbia. This exception authorizes the use of military forces to protect Federal property and functions when local authorities are unable or decline to protect them. For example, Federal troops were ordered to assist District authorities to protect Federal properties and enable the Government to keep functioning during the May Day demonstrations in 1971.

During the most potentially threatening part of that

a proclamation calling for an end to the disturbance within a time that he specifies. If the violence continues past that time, he may send in military assistance. In the District of Columbia, the Commissioner acts as a Governor would in such instances.

The Department of Defense may also temporarily loan military equipment to local authorities trying to quell disorders. During the May Day demonstration of 1971, such loans to the Metropolitan Police Department included medicines, combat rations, and blankets.

## Attorney General's Role

All Federal responses to civil disorder, in the District of Columbia and everywhere in the Nation, are coordinated under the authority of the Attorney General as chief civilian officer. He advises the President and sets law enforcement policy to be observed by both civilian and military forces in their efforts to control disorders.

A Civil Disorders Team in the District of Columbia, directed by the Deputy Attorney General, observes civil disorders in the Capital. This team may include personnel from such divisions of the Department of Justice as the Community Relations Service, the Internal Security Division, the Criminal Division, or the Civil Rights Division.

The Inter-Divisional Information Unit (IDIU), a part of the Internal Security Division of the Department of Justice, also monitors District of Columbia civil disturbances and has the capability to coordinate with the White House and key Federal agencies.

## Park Police

The National Park Service of the Department of the Interior plays a major role in coping with civil disorder in the District of Columbia. The U.S. Park Police, the enforcement arm of the Service, has jurisdiction and may make arrests on Federal park lands in the District of Columbia.

The U.S. Capitol Police enforce Federal laws and applicable District of Columbia regulations within the Capitol grounds and buildings.

The Executive Protective Service protects the President and his immediate family, the White House, buildings in which Presidential offices are located, and foreign diplomatic missions located in the metropolitan area of Washington, D.C.

## Fire Department

Although the District of Columbia Fire Department receives no Federal grants, it plays a significant role during civil disorders and other emergencies, coordinating its communications through the Office of Civil Defense command center.

When an emergency appears to be developing in which

operational capability by separating each normally constituted two-piece pumping company into two separate engine companies, thereby doubling the 32 companies to 64.

- Full sustained mobilization with all men working a 24-hour tour of duty day after day.

It is the policy of the Fire Department to use hose lines to control fires only, not crowds, because of the injuries hose lines might cause.

and coordinates community programs to develop the potential of pre-delinquent youth and to prevent further delinquency.

The D.C. Public Schools operate intensive programs for delinquent and neglected children in institutions.

The Public Safety Committee of the Metropolitan Council of Governments cooperates with the public schools and institutions for delinquent and neglected children in sponsoring drug abuse education programs.



U.S. Park Police officer stationed in the Washington Monument.

## Human Resources

The District of Columbia offers a broad range of programs and services to rehabilitate offenders, ex-offenders, narcotic addicts, and adjudicated juvenile delinquents, and an even broader range of programs to prevent delinquency.

The D.C. Department of Human Resources sponsors comprehensive social, medical, and psychological services,

## Department of Human Resources

Established in March 1970, the Department of Human Resources coordinates social services, health programs and related facilities in the city. All seven departmental administrations relate in different ways to crime prevention and law enforcement.

For example, defendants may be referred by the court to the Health Services Administration of this department for treatment, or to the Mental Health Administration for psychiatric examination.



The Vocational Rehabilitation Administration is responsible for programs to rehabilitate offenders and ex-offenders.

But in addition to the general rehabilitative services it offers ex-offenders, the administration also operates the Employment and Training Center at Lorton Reformatory in cooperation with the Department of Corrections. Training center programs, which range from private trade schools to college studies, are also available to inmates of the Workhouse and Youth Center. FY 1971 funding for corrections programs at Lorton totaled \$520,000 from the Rehabilitation Services Administration, which is part of the Social and Rehabilitation Service, U.S. Department of Health, Education, and Welfare.

## Social Services Administration

The Social Services Administration administers welfare, public assistance, and social services in the District of Columbia. Federal aid from the Social and Rehabilitation Service amounted to \$51.3 million in FY 1971 and \$37 million in FY 1972, most of it—more than \$20 million each year—consisting of aid to families with dependent children.

Other Federal aid in FY 1971 included: general social services, such as casework, homemaker help, day and foster home care, \$7 million; and aid to the blind, aged, and permanently and totally disabled, \$8.4 million.

Social services more closely related to crime prevention and law enforcement are those connected with detention, custody, and treatment of children awaiting adjudication and dependent or neglected children, and the training of persons in need of supervision.

The Bureau of Youth Services within the Social Services Administration plays a key role in supervising these activities related to crime prevention and law enforcement. It has three divisions:

- (1) Institutional Services, which operates the Receiving Home and the three-school Children's Center at Laurel, Md. (Oak Hill, Cedar Knoll, and Maple Glen), for persons under 21 who cannot remain at home;
- (2) Youth Group Homes, which provide juveniles who cannot return home with a wide range of recreational, educational, vocational, and counseling services in shelter houses, halfway houses, and one probation house; and
- (3) Action for Children in Trouble (ACT), which diagnoses, counsels, and assists predelinquents and released delinquents.

An additional unit was provided for by the Court Reform and Criminal Procedure Act of 1970. This unit, the Interstate Compact on Juveniles Unit, cooperates with other States in returning runaway juveniles to their homes.

The Bureau of Youth Services is involved in three programs funded by LEAA.

## Narcotics Treatment Administration

At least half of the serious crimes reported in the District of Columbia are drug related, according to law enforcement studies. The Narcotics Treatment Administration (NTA) was established in February 1970 as part of the Department of Human Resources of the District of Columbia Government to provide massive and comprehensive treatment and rehabilitative services to heroin addicts who live in the city.

**Federal funding.** In recognition of this program's potential for significantly reducing crime, LEAA has awarded NTA \$4 million in discretionary funds in addition to \$300,174 in block grant funds. Another \$4.392 million has been provided from the funds appropriated by the Congress for the District (as of February 29, 1972).

Other Federal agencies have provided smaller amounts. In FY 1971, these included \$231,000 from the National Institute of Mental Health, of the Department of Health, Education, and Welfare; \$131,000 from the D.C. Model Cities Administration, Department of Housing and Urban Development; \$183,000 from the Office of Economic Opportunity for an alcoholism project; and \$11,000 from the Bureau of Prisons, Department of Justice.

**Approaching the problem.** In the week of May 13, 1972, there were 4,131 addicts receiving treatment, 3,779 in 12 NTA centers and 352 through contracts between NTA and other agencies.

The basic goals of this program are to end illegal drug use and criminal activity, help the addict achieve a productive life by training him for a job, and reunite him with his family and friends. Patients are encouraged to continue treatment until all goals are met.

There are three categories of treatment: abstinence, for patients who are trying to end their addiction with no help other than supportive counseling; detoxification, for addicts who are withdrawing by taking gradually decreasing doses of the synthetic narcotic, methadone; and methadone maintenance, for addicts who are at least 18 years old, have been addicted at least a year, have failed at abstinence or detoxification, and have voluntarily consented to treatment.

**Results of treatment.** A study of 600 patients from May 1970 to May 1971 showed that 52 percent remained active in the program a year after beginning. An unknown number of persons who dropped out may have achieved permanent abstinence.

By May 1971, the number of patients in school or full-time jobs had risen from 25 percent to 65 percent, and 76 percent of the entire group had not been arrested with

Twenty-one percent are referred by the city criminal justice system. These referral patients have a 14-percent lower retention rate; they account for 40 percent of the program's dropouts.

By May 1972, NTA was treating 4,131 patients. That represented almost 25 percent of the estimated 17,000 heroin addicts in the District of Columbia. NTA plans to expand its capacity by 1974 to be able to treat about 10,000 addicts, if adequate funding can be provided. NTA anticipates that treating 10,000 to 12,000 of the city's addicts will end the epidemic of heroin addiction, and the number of untreated addicts will be less than 3,000 by that time.

## Office of Youth Opportunity Services

The Juvenile Delinquency Prevention and Control Act of 1968 requires that States, territories, and the District of Columbia have planning agencies in order to receive and administer funds authorized by the act.

The Office of Youth Opportunity Services (OYOS) is the agency designated by the Commissioner of the District of Columbia for this purpose. The funds are distributed by the Youth Development and Delinquency Prevention Administration (YDDPA) of the Social and Rehabilitation Service, part of the Department of Health, Education, and Welfare (HEW).

**Comprehensive plans.** Three planning grants—\$100,000 in FY 1969, \$50,000 in FY 1970, and \$64,002 in FY 1971—and three prevention grants—\$96,986 in FY 1970, \$60,000 in FY 1971, and \$224,986 in FY 1972—have been awarded to OYOS.

The planning grants were used to develop comprehensive plans to coordinate and supplement the community's services to delinquents and predelinquents. These services are intended to involve predelinquent young people in their communities in constructive ways, to make such involvement more attractive than criminal activity by providing appropriate models, to offer counseling for a broad spectrum of problems, to encourage young people to continue their education to a productive and self-fulfilling point, to provide jobs, vocational training, remedial tutoring, cultural and recreational activities—in short, to make young people in high-crime areas assets rather than liabilities to their neighborhoods.

The YDDPA prevention grants were made to OYOS to implement a comprehensive plan for coordinating and delivering such community services to the target population without separating them from their peers or otherwise stigmatizing them.

**Community service.** An important role in achieving this community involvement is played by the Youth Assistance Service System administered by OYOS. It is similar to the Service Area System developed in cooperation with the Model Cities Programs. The city is divided into nine service areas. Each is scheduled to have its own Youth Assistance Center to provide a focus for all community agencies engaged in serving youth and to perform

must approve applications for YDDPA grants.

**Recent grants.** Big Brothers of the National Capital received a \$23,362 prevention grant in FY 1971 and \$35,000 in FY 1972.

Four organizations in the District of Columbia received YDDPA grants in FY 1971 to conduct workshops for youth service professionals and volunteers. These training grants were awarded to: the Frederick Douglass United Community Center, \$48,582; the International Association of Chiefs of Police, \$196,188; the National Urban Coalition, \$102,335; and the Washington Workshops Foundation, \$48,516.

The Education Systems Corporation received \$100,000 in FY 1971 to provide technical assistance to agencies designing prevention or rehabilitation projects.

**Youth patrols.** One of the most successful prevention programs funded by YDDPA is the Youth Courtesy Patrol, which puts teams of 13- to 21-year-old boys to work spotting and reporting crime. Some afoot and some on bicycles, these boys also direct municipal services to places where they are needed, provide escort service, prevent false alarms and littering, and refer citizens, particularly parents, to such city services as recreation and free lunches. The youths patrol in teams of three from 4 p.m. to 10 p.m.; they are accompanied by adult men from 10 p.m. until midnight.

This unusual program was the idea of one Neighborhood Planning Council in a garden apartment complex that had experienced many muggings. Now the city has 22 Youth Courtesy Patrols and one Adult Courtesy Patrol. The latter was funded first through OYOS and then through D.C. Teachers College by a \$50,000 grant from LEAA. LEAA has also provided a \$12,700 equipment grant to enable the Youth Courtesy Patrols to buy walkie-talkies, bright orange jackets, foul-weather gear, police whistles, flashlights, and first aid kits.

Improvement of relations between young people and the police and heightened interest in police careers have been valuable aspects of this program.

**Other funding sources.** The largest single source of funds for OYOS programs has been the United Planning Organization (UPO), the District of Columbia community action agency under the Economic Opportunity Act. OYOS received UPO grants of \$1,368,837 for the year beginning October 1, 1970, and \$1,436,363 for the year beginning October 1, 1971. These funds have been used to pay for community-based projects planned and carried out by youths elected each fall to the city's Neighborhood Planning Councils. Projects include training, job placement, economic and business development, community service, and leadership development.

The U.S. Department of Labor has also been an important source of OYOS funding. In FY 1971, OYOS received \$228,000 for expanded recreational support for disadvantaged youths. The program, funded under the provisions of the Manpower Development and Training Act, employed Neighborhood Youth Corps enrollees as recreation aides.

## Public Schools

District of Columbia public school programs related to crime prevention and law enforcement are diverse.

Three projects in institutions for delinquent and neglected children have been designed to expand sharply full-time programs for young people with severe handicaps or learning disabilities. These projects were funded by the U.S. Office of Education (OE) under the provisions of title I of the Elementary and Secondary Education Act, a title concerned with assisting disadvantaged children. Funding was \$357,674 in FY 1971 and \$320,489 in FY 1972.

One of these projects, at Junior Village, served 66 children and received \$87,558 in FY 1971. Another, the Lorton Youth Center operated by the D.C. Department of Corrections, received \$47,719 to assist 117 youths in FY 1971.

The third project, at Laurel, Md., received \$222,397 in FY 1971. It served 62 youths in need of supervision from Maple Glen School, 36 Oak Hill School boys, ages 16 to 18, who have serious offense records, and 86 girls and boys at Cedar Knoll School who have been adjudged delinquent.

## Metropolitan Washington Council of Governments

The Metropolitan Washington Council of Governments received a \$143,806 grant from LEAA in FY 1970 for a preventive drug education program for approximately 500 11th-grade students, 35 percent of them from the District of Columbia.

The program was instituted during the 1971 spring semester. Before and during the semester, 11 certified teachers were freed from regular classroom duties and given extensive training and full sets of curriculum materials. District participation involved Brown and McFarland Junior High Schools; Lorton Youth Center; and Maple Glen, Oak Hill, and Cedar Knoll Schools.

## Training, Education, and Research Programs

Research, education, and training programs related to law enforcement and crime prevention have three major aspects. One is concerned with making gainful employment more attractive than crime to prospective and former offenders; a number of programs in this area are conducted or monitored by the D.C. Manpower Admin-

in the District of Columbia coordinate

tensively with the city's criminal justice system. The third aspect of relevant education programs is related to upgrading the training of personnel pursuing careers in the system. LEAA made awards totaling in the District of Columbia as part of the District Education Program (DEP) grants and loans distributed by institution. Education is intended to encourage men engaged in law enforcement career education and to attract promising such careers.

**American University.** The largest in funds in the District of Columbia is American University, which received \$488,542 in FY 1971, and \$500,000 in FY 1972.

American University offers associate and graduate degrees in courses, "Correctional Administration of Justice." In addition to its law and Criminology, the unit for Metropolitan Studies that has been the District of Columbia Office of Crime and Analysis (OCJPA) to develop law criminal justice research potential for research capacity.

**George Washington University.** LEAA in FY 1970, \$41,000 in FY 1971, and \$41,000 in FY 1972 were awarded to George Washington University program recently expanded from a graduate level. This interdisciplinary program in science and law and offers a master of science in forensic science.

The university began a privately funded program in 1970 to stimulate the application of university's resources to community problems. It has included a research seminar on the District of Columbia criminal justice system, reexamining the Crime Commission report of 1966, and cooperation with OCJPA.

**Georgetown University.** Georgetown University received a \$74,645 discretionary grant in FY 1971 for a new multi-disciplinary criminal justice project. This project is designed to overcome a shortage of coordinators, administrators in all levels of government. It offers a justice course leading to a master of law.

The Georgetown University Institute for Law and Procedure has made its consultation capability in court procedure and procedure available to OCJPA for planning and liaison.

The university received a \$1,600 LEAA grant in FY 1971.

**Howard University.** Howard University is a non-profit corporation, and Federal response are carried out by the Secretary of the

## Manpower Administration

Just as the Office of Youth Opportunity Services and the Office of Criminal Justice Planning and Analysis prepare comprehensive plans for mustering community resources, so does the District of Columbia Manpower Administration of the U.S. Department of Labor. A Comprehensive Area Manpower Planning Systems (CAMPS) plan, updated each year, coordinates the Manpower Administration's programs with all other manpower and manpower-related programs in the metropolitan area.

**Resources.** The FY 1972 plan estimates that of the \$130,607,000 available from all sources for manpower programs and closely related supportive services in the District of Columbia (and in some instances, metropolitan Washington), \$74.4 million comes from the Federal Government (excluding the city's congressional appropriation). Of this \$74.4 million, \$25.9 million comes from the Department of Labor; \$14.3 million from the Department of Health, Education, and Welfare; \$2.8 million from LEAA; \$1.4 million from the Department of Housing and Urban Development; and fractional percentages from other agencies. Public assistance accounted for \$31.5 million of the contribution from the Department of Health, Education, and Welfare.

**Programs.** These programs, like those of UPO, serve the disadvantaged, who are often the unemployed and underemployed as well. They may therefore be thought to relate to crime prevention. The programs related to crime prevention and law enforcement most directly seek to train and rehabilitate prisoners and ex-offenders.

Programs for inmates are the most easily identifiable. For example, \$207,086 in FY 1971 funds was used to operate a prevocational shop program at the Lorton Correctional Complex. Other programs operated through the D.C. Department of Corrections were discussed earlier in this essay. Recent efforts to avoid segregating ex-offenders from others receiving manpower services make more precise estimates of funds spent to train ex-offenders difficult to obtain.

In FY 1972 Emergency Employment Act funds from the Manpower Administration were used to create public jobs in the District of Columbia, of which 9 percent or \$312,500 was used in the area of law enforcement jobs.

Approximately \$2 million a year in D.C. Manpower Administration funds goes to Pride, Inc., an inner-city work and training program. Pride has made special efforts to include juvenile delinquency prevention and rehabilitation components in its programs.

## United Planning Organization

The FY 1971 allocation to the United Planning Organization (UPO) from the Office of Economic Opportunity was \$8,494,568, under the provisions of the Economic Opportunity Act of 1964. A number of UPO programs are related directly to crime prevention and the rehabilitation of offenders; all UPO programs are related indirectly to these activities in that they aim to improve the economic circumstances of the disadvantaged.

**Training and education.** The UPO Manpower Division supervises job-related programs that determine individual interests and aptitudes, provide training and remedial education, seek job openings, place people in them, and counsel new employees. A \$49,987 grant in FY 1971, for example, supported the Teen Corps, an employment service for disadvantaged inner-city youths. The service improves basic language ability and provides vocational training in such skills as typing.

Pride, Inc., receives approximately \$300,000 a year for its in-school program, which provides 10 hours of work a week to inner-city youth who are still attending school. Pride also provides placement and scholarship research for students wishing to receive a higher education.

**Youth and offender programs.** Criminal rehabilitation and youth programs which are not related to manpower are monitored by another UPO activity, the Office of Field Services Operations. These programs are diverse: the Office of Youth Opportunity Services received \$1.5 million in FY 1971 from the Office of Economic Opportunity for city-wide youth programs; the Center for Correctional Justice in the Lorton Youth Center, operated by the D.C. Department of Corrections, received a \$219,000 grant; and a program of fidelity bonding for ex-offenders to help them find jobs requiring employee bonding received \$70,000 in FY 1971.

**Other services.** The Office of Field Services Operations is also responsible for all other programs, such as neighborhood development, consumer action, housing, education, and Spanish-speaking programs.

Volunteers in Service to America (VISTA), a program of the Office of Economic Opportunity in FY 1971, worked in Project Crossroads in the District of Columbia. They offered pretrial counseling to 16- to 26-year-old youths accused of an offense for the first time and their families. They provided remedial instruction, job placement, and follow-up services, and they negotiated with District of Columbia prosecutors to set up permanent post-arrest and pretrial services.

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The Federal Government is committed to efforts to protect American consumers and businesses from the ravaging effects of "white collar crime."

The term "white collar crime," defined more precisely below, refers to such crimes as bank embezzlements, frauds, employee thefts, and price fixing.

There is a tendency on the part of some to regard white collar crime as less serious than many other kinds of crime. Because of the absence of threat or violence on the part of the perpetrator, white collar crime has not always generated the public concern that it should.

Fraud is one of the most common and most premeditated crimes committed in the Nation. It often is perpetrated against those who can least afford the loss and are least able to defend themselves—the elderly, the invalid, and the poor.

Its victims are often gullible, unwary, and ill-informed as to what constitutes normal, ethical business practices and what may be done to seek redress if swindled.

Mail fraud alone, including a rising incidence of fraud in securities investments, inflicts losses estimated at more than \$500 million a year on Americans.

Light sentences often are imposed by courts on promoters who have fleeced their victims of huge sums of money. President Nixon criticized these sentencing practices in

February 24, 1971, in a message transmitting to Congress proposed Buyer's Bill of Rights. He said that for illegitimate business, "the penalty is just part of the overhead."

White collar crime is difficult to eradicate because it is commonly profitable for unscrupulous businessmen to operate in defiance of the law and to accept whatever penalties and punishments may be incurred.

**Definition.** A definition of "white collar crime" is admittedly difficult. The National Institute of Law Enforcement and Criminal Justice, a component of the Law Enforcement Assistance Administration, presented a good working definition in its booklet *The Nature, Impact and Prosecution of White-Collar Crime* (1970). The definition is:

"... an illegal act or series of illegal acts committed through nonphysical means and by concealment or guile, to obtain money or property, to avoid payment or loss of money or property, or to obtain business or personal advantage."

White collar crime differs from organized crime in an important way. White collar crime is perpetrated by an individual or a business or by a group of individuals or businesses. Organized crime, on the other hand, is carried out by criminal cartels operating in large metropolitan

areas and linked more or less tightly by communications and chains of command.

## Enforcement of Federal Laws

White collar criminal activities of all types are attacked by the Federal Government through its departments and agencies by a variety of law enforcement tools.

In general, voluntary compliance by regulated industries is the backbone of the Federal approach, and only when that fails are administrative, civil, or criminal sanctions invoked.

In addition to enforcement activities, Federal agencies and departments assist each other and State and local enforcement and consumer agencies by sharing information and by conducting training courses, conferences, and seminars on relevant topics.

Those departments and agencies with the heaviest involvement in combating white collar crime are the Federal Trade Commission, the Securities and Exchange Commission, the United States Postal Service, the Department of Justice, and the Department of the Treasury.

A discussion of their activities follows.

### Federal Trade Commission

The Federal Trade Commission (FTC), the catch-all consumer protection agency of the Federal Government, has broad jurisdiction over unfair trade practices and antitrust matters.

It employs cease-and-desist orders as its primary tools of enforcement. Violation of such orders generally results in the imposition of civil penalties. Rarely has the FTC found it necessary to resort to criminal sanctions.

The FTC recently has established Consumer Protection Coordinating Committees in major metropolitan areas. These committees were created to give consumers guidance and to identify illegal activities. Members of the committees include the attorneys general of the States, U.S. attorneys, and representatives of other State and local consumer protection and law enforcement agencies.

The FTC also has experimented with projects to assist local police departments in answering consumer complaints from the public in which no criminal offense appears to be alleged. Such calls constitute a major burden on police. The projects supply the police with lists of local consumer agencies to which the complainant can be referred.

### Securities and Exchange Commission

The Securities and Exchange Commission is responsible

criminal violations in the securities field are investigated by the Securities and Exchange Commission.



for protecting the public against wrongdoings in the securities and financial markets. It conducts investigations of criminal violations of the seven major Federal securities statutes, and transmits to the Department of Justice criminal reference reports for appropriate disposition.

In addition to criminal referrals to the Department of Justice, the Commission also ensures compliance with the laws through administrative proceedings and civil injunctions.

By the close of FY 1971, the Commission had 825 pending investigations of alleged violations of the Federal securities laws. During the fiscal year, the Commission instituted 189 administrative proceedings, filed 140 civil injunctions, and referred 27 criminal cases to the Department of Justice. Sixteen criminal indictments were returned during the fiscal year in cases investigated by the Commission.

During the fiscal year, the Commission also conducted enforcement training programs for State securities administrators and Canadian Securities Commissioners and representatives of other Federal departments and agencies. The Commission also conducted regional enforcement conferences throughout the country. The purpose of these programs and seminars was to alert the participants to activities that may violate provisions of the Federal securities laws and to equip them to solve problems in these areas.

## Postal Inspection Service

The Postal Inspection Service, part of the United States Postal Service (USPS), contributes to consumer protection through enforcement of the Mail Fraud Statute, which is one of the oldest, if not the oldest, consumer protection laws enacted by Congress. While postal inspectors may not act as intermediaries in the settlement of financial or property transactions conducted through the mails, their investigations frequently result in the discontinuance of fraudulent promotions.

The Postal Inspection Service is an active participant on the Consumer Protection Coordinating Committees set up by the FTC.

In addition, the Service works in close collaboration with the Securities and Exchange Commission and the Federal Bureau of Investigation as well as with regulatory and law enforcement agencies of the States.

## Department of Justice

The Department of Justice enforces a variety of Federal statutes covering such business crimes as embezzlement and misapplication of funds in Federal and federally in-

registrations, the Attorney General in 1970 created a special unit within the Fraud Section to focus on criminal violations in the securities field. Another area of concentration is on fraud in the insurance industry, which usually involves "looting" of the assets of insurance companies, diversion of premiums, and use of fraudulently issued life policies for loans or the creation of fictitious companies with worthless stock issues.

**Antitrust Division.** The Antitrust Division of the Department of Justice is concerned with protecting the public from pricefixing, which is illegal under the antitrust laws, and certain business mergers which reduce competition in a given market. The Division uses both civil and criminal actions, as appropriate, to enforce the law.

In FY 1971, the Division filed 64 antitrust cases, of which 12 were criminal. Of the cases filed in FY 1971, 24 involved mergers, 23 challenged pricefixing, and 17 involved monopolization charges.

In FY 1971, 54 antitrust actions were terminated, of which 10 were criminal. The Government won 42 of the civil cases, lost one, and dismissed one. The Government won nine of the criminal cases and lost one. Fines and damages imposed on defendants in criminal and civil antitrust actions totaled \$847,306.

At the end of FY 1971, 96 civil and 16 criminal antitrust cases were pending, compared with 102 (88 civil and 14 criminal) at the end of FY 1970.

**Civil Division.** Civil fraud actions involving the Federal Government are the concern of the Frauds Section of the Civil Division of the Department of Justice. Frauds may occur in the negotiation or performance of procurement contracts; loans or other benefits granted by the Government; Federal financial support or underwriting of projects; and grants or other monetary support in such areas as welfare, job training, education, and medical assistance.

**Federal Bureau of Investigation.** The Federal Bureau of Investigation (FBI) supports the Fraud Section of the Criminal Division of the Department of Justice by conducting investigations and supplying information.

The FBI Laboratory also maintains a National Fraudulent Check File for use in identifying passers of fraudulent checks. A related program is designed to identify professional check artists by use of computerized data.

The FBI investigates crimes against the Federal Government, which have been increasing in recent years. In the area of white collar crime, these range from violations of the Federal Reserve Act to misuse of funds or fraudulently obtained funds from the Office of Economic Opportunity. Violations of the Federal Bank Robbery and Incidental Crimes Statute also fall within the investigative jurisdiction of the FBI.



nue Service, which seeks to ensure compliance with the Nation's tax laws; and the United States Secret Service, which endeavors to suppress counterfeiting of currency, and forgery of Government checks and bonds.

**Comptroller of the Currency.** The Office of the Comptroller of the Currency charters, examines, and regulates national banks to ensure that they operate safely and in compliance with Federal and applicable State law. A staff

The Internal Revenue Service (IRS) encourages the highest possible degree of voluntary compliance with the requirements of the internal revenue laws requiring correct reporting of income, estate, gift, employment, and certain excise taxes, across a wide spectrum of occupational and income groups.

Indications of criminal violations are identified by the Audit Division of the IRS and other sources, and are referred to the Intelligence Division, which recommends



Regular bank examinations by the Office of the Comptroller of the Currency protect national banks from possible irregularities.

of examiners conducts on-premise examinations into the operations of each national bank three times every 2 years. These examinations are designed, among other things, to enforce security procedures aimed at discouraging robberies, burglaries, and embezzlements and to assist in the apprehension of perpetrators of such crimes. Deficiencies in security controls are reported to the board of directors of the bank for corrective action and to the Comptroller.

Where an examination reveals possible violations of Federal banking laws, a report is made to headquarters for review and administrative action. If criminal violations are indicated, reports are made to the appropriate U.S. attorney and to the FBI. When a particular activity or transaction appears to constitute a violation of Federal tax laws, a factual report is made to the Commissioner of Internal Revenue and to the Department of Justice. The Comptroller has the statutory authority to order a na-

imposition of civil penalties or criminal prosecution.

Under special enforcement efforts, the Intelligence Division participates in the Treasury/IRS Narcotics Traffickers Program. Intensive tax investigations are being conducted on middle and upper echelon narcotics traffickers and financiers. The objective is to disrupt the narcotics distribution system by prosecuting key traffickers for criminal tax violations and by assessing and collecting taxes and penalties on the illicit income from narcotics. The Intelligence Division also participates in the Department of Justice strike forces against organized crime. In both programs IRS utilizes civil tax sanctions as well as criminal.

Investigations of alleged corruption of public officials occasionally result in evidence not only of tax law violations but also evidence of extortion, bribery, conspiracy, and other crimes.

Indications of malfeasance within the IRS itself in the early 1950's led to creation of an Inspection Service whose mission was to assure the maintenance of the

figures. Lawyers in the Tax Division of the Department of Justice act as trial and appellate counsel for the IRS in controversies in court between the Government and taxpayers. Tax prosecutions involve a full range of tax questions and a full spectrum of occupations and economic status. Included among those convicted are such diverse members of society as doctors, lawyers, accountants, schoolteachers, and corporation executives. Convictions of racketeers and public officials are also not uncommon.

**United States Secret Service.** The United States Secret Service was created in 1865, as a bureau of the Department of the Treasury, to suppress widespread counterfeiting of currency. The investigative responsibilities of the Secret Service now cover counterfeiting of currency and forgery of Government checks and bonds. This investigative activity continues to rise, as counterfeiters produce more counterfeits each succeeding year.

The National Crime Information Center (NCIC) of the FBI is given information by the Secret Service on stolen U.S. Savings Bonds. The NCIC provides a national exchange of documented police information by means of a computerized information retrieval system.

In connection with its protective and investigative responsibilities, the Secret Service works closely with law enforcement at all levels—local, State, and Federal. The Secret Service also provides training to law enforcement personnel on matters of mutual interest, such as handwriting analysis of questioned and disputed documents, forged Government checks and bonds, and threatening written communications. Training courses are offered on protective operations and surveys, Secret Service activities, and firearms instructor training. This training not only provides trainees with new techniques and concepts to carry out their responsibilities, but also enables them more effectively to assist the Secret Service in its protective and investigative missions.


## Other Federal Efforts

Other Federal efforts to reduce and prevent white collar crime center in the areas of banking, internal security, labor unions, passports, charter flights, and communications.

The efforts of agencies involved in these areas are described in the individual organizational chapters of this annual report.

There follows below descriptions of those efforts described on a functional basis.

**Banking irregularities.** In addition to the Office of Comptroller of the Currency, discussed above in the Department of the Treasury section, other agencies of Government are involved in combating banking irregularities.

The Federal Deposit Insurance Corporation, which insures deposits of commercial and mutual savings banks, regularly examines insured State banks and not members of the Federal Reserve System.  non-

employees and others. Supervision examiners also monitor internal bank controls designed to prevent defalcation, fraud, and other such criminal activities by bank employees and others.

The Corporation is authorized to bring administrative cease-and-desist proceedings against nonmember insured banks for violations of law or for engaging in unsafe or unsound banking practices. The Corporation may also bring administrative proceedings to terminate an insured bank's deposit insurance for such practices or violations and may take action to remove officers and directors of nonmember insured banks or to prohibit other persons from participating in the affairs thereof if it finds such a person to be personally dishonest and unfit to be associated with such a bank.

The Federal Reserve System conducts at least one examination of each of its member State banks every year. Violations of criminal statutes such as misapplication of bank funds are reported to the proper State banking authority or the Department of Justice. As an outgrowth of its bank examinations function, the Federal Reserve System has also issued cease-and-desist orders against member State banks for the purpose of preventing unsafe or unsound banking practices.

Examination of federally chartered savings and loan associations is carried out by the Federal Home Loan Bank Board. Most improper practices are corrected by informal action. Others are dealt with by administrative cease-and-desist proceedings. Cases involving possible violations of Federal criminal laws are referred to the Department of Justice for appropriate disposition.

**Safekeeping Federal funds.** Certain Federal programs involving the expenditure of large sums of money present an open invitation for irregularities and improprieties.

Agencies administering these programs scrutinize their own operations to prevent such irregularities and improprieties from occurring.

Internal security units within these agencies conduct investigations to uncover irregularities such as fraud, bribery, false statements, collusion, and conflict of interest.

Where evidence of violations of Federal law is developed, the matter is referred to the Department of Justice for appropriate disposition.

Internal investigations are carried out by all agencies of the Federal Government to determine whether their own employees are involved in irregularities, improprieties, or criminal activities relating to embezzlement and similar crimes. Where possible violations of Federal laws are uncovered, they are referred to the Department of Justice for appropriate disposition.

Agencies administering Trust Funds have a particular duty to adhere to the highest principles of fiduciary integrity. The Social Security Administration, part of the Department of Health, Education, and Welfare, and the Federal Highway Administration, part of the Department of Transportation, for example, maintain security programs to assure the integrity of the Trust Funds they administer.



The Civil Aeronautics Board works to protect travelers against possible fraud.

**Labor corruption.** White collar crime reaches into the ranks of labor as well. The Department of Labor has responsibility for enforcing laws requiring public disclosure of labor union finances. Violations involve filing of reports to the Department, falsification of union records, willful destruction of union records, willful failure to file the required reports, and embezzlement of assets of a labor organization by any officer or employee. Kickbacks to officers, counsels, agents, or employees of benefit plans are also prohibited.

Laws in this area are administered by the Office of Labor-Management and Welfare-Pension Reports. Results of investigations indicating criminal activity are referred to the Department of Justice for appropriate disposition.

**Labor-management relations.** The National Labor Relations Board is a quasi-judicial agency that investigates questions involving employee representation and unfair labor practice charges brought against employers and unions. Occasionally it discovers criminal activities relating to bribe offers, false statements, and fraud in the course of its hearings or investigations. Nine such cases were discovered in FY 1971, and these were referred to the appropriate law enforcement agency.

**Fake passports and visas.** Attempts to circumvent the immigration laws by fraudulent means are under continual investigation by the Immigration and Naturalization Service, part of the Department of Justice. Such activities include use by aliens of faked or altered passports, nonimmigrant visas, and immigration documents, as well as false personation in applications for U.S. passports. Immigrant visa applicants frequently engage in frauds to obtain labor certifications or in "sham" mar-

riages to obtain charter air transportation. Its part of its general regulatory function, the Civil Aeronautics Board (CAB) polices illegal operations in the air transportation industry.

A major problem of growing proportions in recent years involves charter operations where charter carriers, chartering organizations, and travel agents have unlawfully solicited and carried members of the general public under the guise of operating legitimate affinity charters.

Tariff violations, including overcharges and illegal rebates, may accompany these activities. Intense competition between charter organizations has led to widespread misrepresentation of services in promotional and publicity materials.

The result of these fraudulent activities has been a weakening and disruption of the air transport system, monetary loss to passengers, strandings, and international friction.

Compliance with laws involving these activities, including laws requiring full disclosure of credit terms offered to the public, is enforced by the CAB.

**Fraud in communications.** The Federal Communications Commission (FCC) refers to the Department of Justice, for appropriate disposition, evidence of violations of the Communications Act of 1934 or of its own rules. It does so when administrative remedies prove to be inadequate.

Such violations include use of a counterfeit radio station license, broadcasting lottery information, fraud by wire or radio, broadcasting obscene language, false claims of U.S. citizenship, and marketing of radio equipment not conforming with FCC technical standards. The Department of Justice also prosecutes broadcasting offenses, such as fraudulent contests and payola, on its own initiative.

**Small business loan fraud.** The Small Business Administration (SBA) counsels, protects the interests of, and makes loans to small business concerns and State and local development companies.

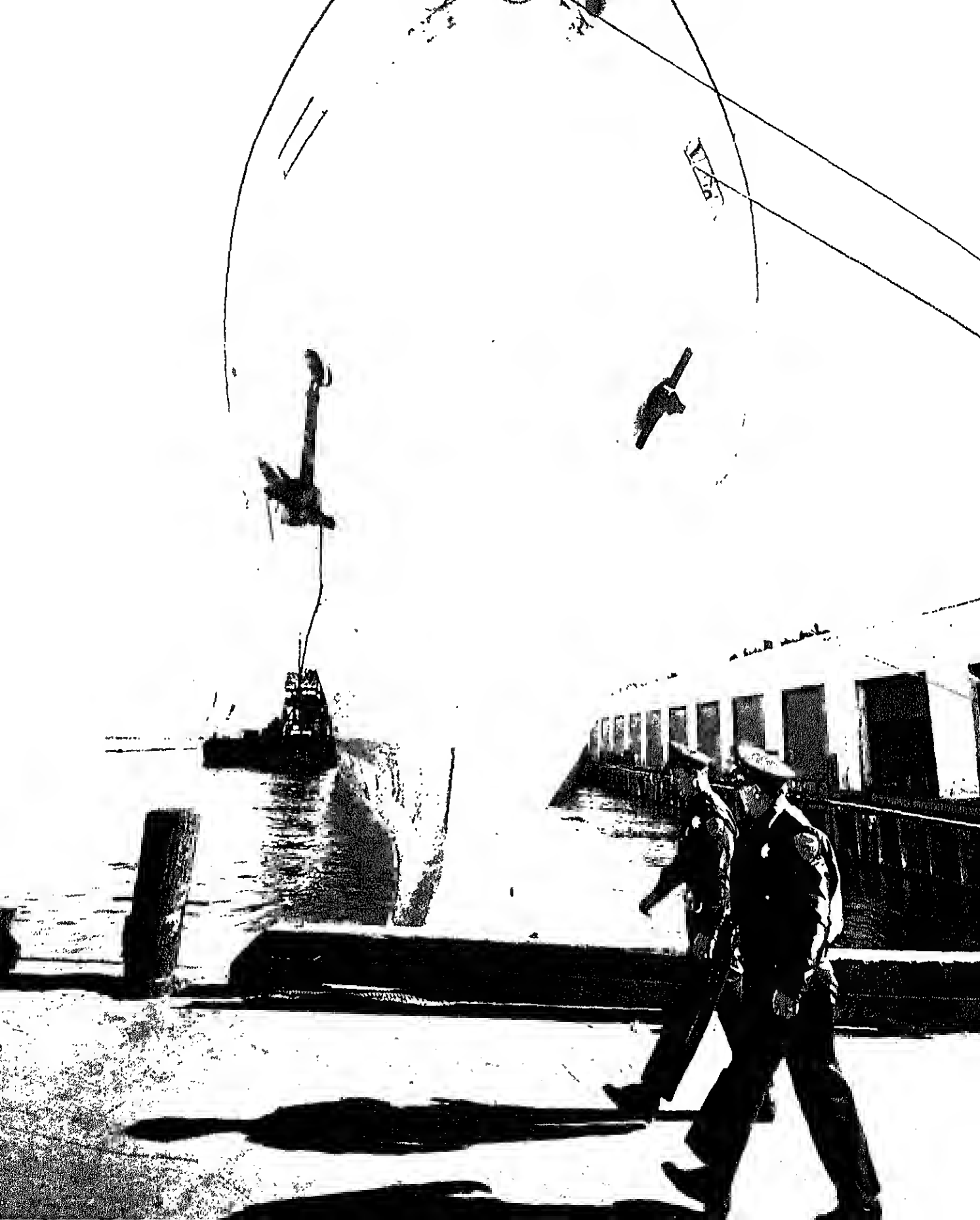
All applicants for SBA loan assistance are investigated prior to receiving a loan to ascertain if they have ever been involved in any act or practice involving fraud or breach of trust.

Once a loan application has been accepted, it is monitored by the SBA Office of Loan Administration for irregularities such as misrepresentation, fraud, bribery, or manipulation of collateral. Each licensed Small Business Investment Company is examined annually and may be investigated under subpoena power.

During calendar year 1970, 128 referrals were made to the FBI in cases of suspected fraud against the Government, or violations of other criminal statutes by SBA loan applicants or recipients.

**Other agencies.** Other Federal regulatory agencies discover cases involving theft or loss of Government property, falsification of records, fraud, or other white collar crimes. These agencies refer such cases to the appropriate law enforcement agency.

Included in this group of regulatory agencies are: the Atomic Energy Commission, the Environmental Protection Agency, the Federal Maritime Commission, and the Interstate Commerce Commission. The ICC, for exam-



On September 11, 1970, President Nixon stated, "We can—and we will—deal effectively with piracy in the skies today."

The immediate impetus to the President's proposal to develop an intensive air security program was the hijacking of five aircraft, of which two were American, by a group of Palestinian guerrillas. This multi-plane hijacking endangered the lives of several hundred people, among them many Americans, and focused particular attention on the mushrooming problem of air piracy.

Aircraft hijackings and cargo thefts are among the most vexing problems for the Bureau of Customs and the Department of Transportation, but combating air piracy is only one facet of Federal guardianship of the safety and security of the traveling and shipping public. The Federal Government regulates and has enforcement duties regarding all forms of interstate and international travel—on land, air, and water, and certain forms of international travel which involve commerce with the United States.

This essay describes Federal programs and policies in all areas of passenger and cargo security and discusses the roles of Federal departments and agencies concerned with security on land and water and in the air.

The emphasis, however, is upon the problem of air piracy, a relatively new and extremely serious problem for the Nation. This has been an area of the greatest public concern in the past few years, and it has been an area of intense effort by the Federal Government, armed as it has been with new tools of law enforcement and with funds provided by Congress.

While this essay presents an overview of Federal activities regarding passenger and cargo security, it is by no means exhaustive as to background and details. In all instances, background and details appear in the chapters on Federal departments and agencies which appear elsewhere in this report. The reader may consult those chapters for broader and more detailed reporting on the activities of the department or agency mentioned in this essay.

## Background

Passenger and cargo security is a complex subject, involving considerations of both physical safety and criminal conduct. Often the two mingle, as when criminal negligence in the operation of a railroad train or ship endangers crew and passengers, or when a hijacker or bomber threatens the lives of those aboard an aircraft.

Passenger and cargo security also involves a maze of civil and criminal laws and regulations at the municipal,

State, Federal, and international levels. There are important jurisdictional considerations, such as which agency prevails when a hijacked aircraft is in the air or on the ground. (Generally, the Federal Aviation Administration has the responsibility relating to a hijacked aircraft while it is in the air, and the Federal Bureau of Investigation while it is on the ground.)

The meeting point of Federal and State law also must be observed scrupulously in the areas of passenger and cargo security. It is necessary, for example, to determine the precise point at which cargo in transit passes from the jurisdiction of an individual State to interstate or foreign commerce which could place offenses concerning such cargo under Federal jurisdiction.

The Federal Government shares jurisdiction with the several States for the investigation and prosecution of cargo thefts. Whether the Federal Government investigates and prosecutes cargo thefts within its jurisdiction depends on policy considerations such as those instances where Federal prosecution would be advantageous to the administration of justice. There is, of course, a great deal of cooperation between Federal, State, and municipal authorities in solving cargo thefts and apprehending the violators.

Passenger and cargo security also involves such considerations as the speed and complexity of technological innovation in travel, ranging from the high speed of jet aircraft to the new containerized shipment of goods by train, truck, air, or ship.

Then, too, passengers and cargo may carry contraband, such as illegal narcotics or weapons, which are of prime interest to law enforcement agencies at all levels. The Bureau of Customs, part of the Department of the Treasury, is especially concerned about this problem, and has programs which address it. Other departments and agencies are involved as well, including the Department of Defense, which has developed programs to interdict contraband hidden in military shipments of any kind.

**Department of Transportation.** Most safety measures regarding passengers and cargo fall under the aegis of the Department of Transportation. A large part of the mission of the Department to promote safe transportation focuses on issuing rules and regulations and setting standards regarding the operation, manufacture, and maintenance of all modes of transportation, including aircraft, motor vehicles, ships, and trains.

Among the other departments and agencies which are involved in maintaining the security of passengers and cargo are the Department of State, the Department of the Treasury, the Department of Justice, the Interstate

drawn from the Bureau of Customs of the Department of the Treasury, preboard passenger screening by Customs Security Officers and by U.S. Marshals drawn from the Department of Justice, and the use of devices which detect weapons and bombs.

The Department of the Treasury is the U.S. representative to the 111-member country, International Criminal Police Organization (INTERPOL). The organizational purpose of International Police assistance and development of systems for the prevention and suppression of ordinary law crimes was discussed at the last three general assemblies as related to aircraft hijacking.

INTERPOL has taken an active role in the hijacking area in the collection of pertinent intelligence of potential hijackers and its dissemination through its international radio and Telex systems.

The FAA also works with other countries to lessen the chances of international hijacking incidents. Air cargo security is handled by the FAA, the Bureau of Customs, and State and local law enforcement agencies.

All crimes committed aboard aircraft fall under the investigative jurisdiction of the Federal Bureau of Investigation.

**Security on land.** The Bureau of Motor Carrier Safety (BMCS), the Urban Mass Transportation Administration (UMTA), the Federal Railroad Administration, and the National Highway Traffic Safety Administration (NHTSA), all part of the Department of Transportation, work to assure that motor carrier operation and private and mass transportation are secure and safe. The Interstate Commerce Commission (ICC) has responsibility for the security of goods shipped interstate or internationally by land. Thefts from interstate shipments are investigated by the FBI. The Bureau of Customs has responsibility for security of cargo while in Customs custody. Thefts of bonded shipments in Customs custody, whether intrastate, interstate, or international, are investigated by Customs.

**Safety on water.** The safety of passengers traveling on navigable interstate and offshore waters is the responsibility of the United States Coast Guard (Office of Marine Safety), part of the Department of Transportation. Cargo imported into this country from abroad and export cargo subject to export control, is under the jurisdiction of the Bureau of Customs, Department of the Treasury. Investigations of questions involving port security are handled by the Bureau of Customs, the FBI, or by State and local law enforcement agencies.

## Major Transportation Security Agencies

A primary mission of the Department of Transportation is to ensure the safety and security of passengers in transit.

Air passengers disembark at Dulles International Airport.



Within the Department, the Assistant Secretary for Safety and Consumer Affairs has overall responsibility for safety programs and coordinates efforts of the various departmental administrations and of other Government and industry interests.

Following the Palestinian guerrilla hijackings, the Secretary of Transportation established the Office of Civil Aviation Security in October 1970 to cope with the problem by setting policies and giving overall guidance to the aviation industry on ways to prevent these incidents.

In the summer of 1971, this office was incorporated into a new, broader office, the Office of Transportation Security, reporting to the Assistant Secretary for Safety and Consumer Affairs. This new office has three areas of responsibility: civil aviation security, cargo security, and program development.

The Department also contains the National Transportation Safety Board, which is functionally independent of the Secretary and other offices and officers of the Department. The Board has authority to investigate and determine the probable cause of all civil aviation accidents, make final determination of causes, and report the circumstances of all major surface transportation accidents. The Board also conducts special transportation safety studies, examines the adequacy of existing transportation safety standards, and determines compliance with these standards.

Several of the functions of the various administrations within the Department of Transportation, which pertain to transportation safety, were formerly assigned to other departments of the Federal Government. When the Department of Transportation was established in 1967, the sections of the Interstate Commerce Act (49 U.S.C. 304) which pertained to motor carrier safety and railway safety, were transferred to the Bureau of Motor Carrier Safety, within the Federal Highway Administration, and to the Federal Railroad Administration, respectively. Other administrations were transferred entirely from other departments, such as the Urban Mass Transportation Administration, formerly within the Department of Housing and Urban Development. The Federal Aviation Administration, formerly the Federal Aviation Agency, had been an independent agency before its incorporation into the Department of Transportation.

## Interdepartmental Efforts

To combat the rising incidence of air hijackings and cargo thefts in all modes of transportation, two interdepartmental committees have been formed.

cerned with this problem. These include the Departments of Transportation, State, the Treasury, Justice, Commerce, Defense, and Labor; the General Services and Small Business Administrations; the United States Postal Service; the Federal Maritime, Interstate Commerce, and Atomic Energy Commissions; and the Civil Aeronautics Board. The chairman is the Assistant Secretary for Safety and Consumer Affairs of the Department of Transportation.

The Committee coordinates closely with the Transportation Cargo Security Council, a labor-industry group under the sponsorship of the Transportation Association of America, to work toward the common goal of eliminating cargo thefts. Both work closely with the Office of Transportation Security within the Department of Transportation.

Following is a discussion of how the Federal Government works to ensure the safety and security of passengers and cargo in transit.

## Air Security

Aircraft hijackings are a serious and costly problem which the Federal Government is taking careful measures to combat.

During 1971, 27 instances of aircraft hijacking were reported, of which 12 were successful. In 1970, 18 of 27 attempted hijackings were successful. The record for attempted hijackings was set in 1969 when 40 attempts occurred, 34 of which were successful. Through June 15, 1972, there have been 16 skyjacking attempts, five of which succeeded. The reduction in the success rate for hijacking attempts has been from 85 percent in 1969 to 67 percent in 1970, 44 percent in 1971, and to 31 percent in 1972.

A major problem in combating hijackings is that many precautionary actions available to the air transportation industry are voluntary. Decisions with respect to the carrying of air guards, the extent of preboard screening, and the installation of security facilities and devices rest with the management of the airlines and the airports. Most authorities agree that the majority of these could have been avoided had the airlines followed the FAA's recommended security measures. Cost of the security measures is cited as the reason for this noncompliance.

## Air Guard Program

Following the President's speech in September 1970, ordering a stringent antihijacking program to be implemented, a sky marshal program went into effect. It was staffed temporarily with enforcement personnel from various departments until a permanent force could be recruited and trained. The Department of Transportation



were joined in October by 600 military sky marshals assigned by the Department of Defense. These temporary sky marshals remained on duty until February 1971. By



Bureau of Customs sky marshal trainees practice target shooting.

Passengers about to board a plane pass through upright poles which detect metallic weapons.



the end of May 1971, the last of the military guards were replaced.

To form a permanent sky marshal force, the Secretaries of Transportation and the Treasury entered into an agreement in October 1970, a month after the President's speech, which provided that the Bureau of Customs would recruit, screen, train, and supervise a force of up to 2,100 customs security officers to fly on international and domestic flights and to conduct predeparture inspections on the ground, beginning with 26 airports. The Division of Air Security, part of the Office of Investigations in the Bureau of Customs, was established to carry out this function.

By the end of FY 1971, there were approximately 1,300 customs security officers stationed at 25 posts of duty throughout the United States. They provide air security for 15 airlines, and the number requesting this service is increasing.

Training for the customs security officers is provided at the Treasury Air Security Officer School (TASOS) operated at Fort Belvoir, Va., and staffed by the Department of the Treasury, with guest lectures by FAA.

The U.S. Marshals Service, part of the Department of Justice, also contributes personnel to the air security program. In FY 1971, 230 U.S. Marshals were assigned to 32 airports to conduct preboard screening.

### Airport Ground Security

In addition to the air guard precautions, the air security

security includes the use of the hijacker profile, a set of behavioral characteristics common to hijackers of the past, which enables security guards and airline personnel to spot potential hijackers.

**Weapon detection.** The Department of Transportation has evaluated 18 different weapon detection systems at its Transportation Systems Center in Cambridge, Mass. A report on these objective evaluations has been issued.

A computer-assisted weapons detection system is in current use at Dulles International Airport. The device, which screens passengers at the rate of about 20 per minute, detects any metal carried by a passenger. It is sensitive enough to distinguish between weapons and other metal objects, such as a pen or keys. The device is safe for people wearing heart pacemakers.

**Armor bulkhead.** FAA has contracted with a commercial firm to install an armor bulkhead and door on an FAA Douglas DC-9 aircraft for test purposes. Similar installation is feasible on commercial aircraft. The test determined that such installation provides protection from gun threats, and prevents unauthorized entry to the flight deck. Each installation costs about \$3,500.

**Ground security personnel.** Ground security personnel are drawn from both the customs security officers force and the U.S. Marshals Service. Customs security officers are primarily responsible for law enforcement assistance in preboard screening of flights to foreign points. The marshals have general enforcement duties.

**Success of ground security.** The preboard screening program has enabled Federal and local law enforcement personnel to make more than 1,500 arrests across the Nation. More than 400 weapons were seized, and 27,000 weapons were detained, in FY 1971 by Customs alone.

The eventual goal of the program is to have enough metal detectors to screen all passengers, probably by early 1974.

Since July 7, 1972, security measures have been tightened on the three airlines which operate nonreservation shuttle flights. These airlines are now required to search the carry-on articles and persons of all boarding passengers. The passenger search is done either with metal detectors or by a consent personal search.

Since August 1, 1972, all other airlines are required to prohibit any person who meets the FAA behavioral profile from boarding, plus any persons traveling with the passenger, unless the suspected passenger's carry-on articles are searched, and the passenger is cleared through the metal detection devices, or, if none is available, by a consent search.

**Role of the FBI.** The FBI has three specific roles in the air security program. First, the FBI is responsible for investigation and apprehension of hijackers and saboteurs. Second, the FBI collects and disseminates intelligence data on potential hijackers. Third, when an aircraft under the control of a hijacker is on the ground for refueling or

needed to domestic flights, FAA has taken precautions to safeguard U.S. flag carriers, which serve more than 140 points in about 80 separate countries and dependencies.

**Agreement with the Department of State.** The Department of State and FAA have developed procedures for disseminating alert notices to embassies abroad with respect to hijacking threats. It is hoped that these notices will diminish the opportunity for a hijack attempt and increase the likelihood that a criminal will be detected.

**International cooperation.** The United States, along with 120 other countries, is a member of the International Civil Aviation Organization (ICAO). Under the auspices of the United Nations, the organization has been in operation since 1947. It is primarily concerned with air safety from an operational point of view, but is also concerned with problems of hijacking.

In recent years, a number of antihijacking conventions have been proposed and adopted by ICAO members. Several of these, including a major convention, the Convention for the Suppression of Unlawful Seizure of Aircraft, were drafted during FY 1971.

**Tokyo Convention.** The first cooperative international steps against hijacking were taken by ICAO in 1963, when member countries, at a meeting in Tokyo, Japan, signed the Convention on Offenses and Certain Other Acts Committed on Board Aircraft. This Convention was ratified by the United States on December 4, 1969. As of August 26, 1971, this Convention was in force among 45 countries.

The Tokyo Convention gives a foreign state of registration of an aircraft criminal jurisdiction over all offenses committed on board. It also requires the state in which a hijacked aircraft lands to permit its continuation, and to restore the aircraft to those entitled to possession.

The Tokyo Convention, however, did not address the question of the punishment of hijackers. This omission was the subject in FY 1971 of the Convention for the Suppression of Unlawful Seizure of Aircraft.

**Hijacking Convention.** A draft of this Convention, prepared by the ICAO Legal Committee, was submitted to member countries at the organization's meeting at The Hague, The Netherlands, in December 1970. Initiative for the Convention came from the United States proposal of a draft antihijacking Convention before an ICAO Legal Subcommittee in February 1969.

At The Hague, the United States proposed strengthening amendments to the draft Convention, and a number of these were accepted. The Convention was submitted for ratification in its strengthened form.

More than 60 countries have signed the Convention, and by the middle of September 1971, 10 governments had ratified it. The Convention came into force among ratifying governments when 10 had ratified it. The United States was the tenth country to ratify.

The Hague Convention obliges a state to extradite a hijacker or to submit the case to its competent authorities for prosecution. States are also required to make this offense punishable by severe penalties and to establish

ternational civil aviation. As a specific response to President Nixon's antihijacking program announced in September 1971, work was started on still a third Convention that would establish a procedure for determining if a country has behaved in accord with the international law standards established by the first two conventions. It would also provide for joint action against countries not observing those rules.

Another international antihijacking effort was initiated in FY 1971 by the Secretary of Transportation. At his invitation and that of the FAA Administrator, representatives of 76 governments and eight international organizations met in Washington, D.C., January 11-13, 1971, at the International Meeting on Air Transportation Security to exchange views and ideas on antihijacking and antisabotage measures. The participants also discussed channels for exchanging new information as it develops on security measures, research and development activities, and law enforcement intelligence.



## Air Cargo Security

Under the guidance of the Interagency Committee for Transportation Security (ICOTS), of which the Assistant Secretary of Transportation for Safety and Consumer Affairs is Chairman, Government departments are being mobilized to reduce cargo thefts at airports.

**Bureau of Customs.** The Bureau of Customs has instituted efforts to prevent cargo theft at international airports of entry. A pilot project at John F. Kennedy International Airport has significantly reduced such thefts.

**FAA.** FAA security personnel located in the field are responsible for assisting airport operators, air carriers, and others in improving security at more than 500 principal airports in the United States.

In August 1971, a detailed program was adopted by ICOTS including target dates for completion of specific tasks. Areas addressed by the program encompass cargo loss reporting; carrier liability, insurance, and loss claims; physical and procedural security measures; coordination of Federal programs and coordination of State and local government programs; law enforcement and criminal prosecution; testing of pilot projects under field conditions; and security research and dissemination of technical data.

## Surface Transportation Security

Federal efforts to ensure ground transportation security primarily are carried out by the Department of Transportation. Various components of the Department are responsible for programs directed toward transportation safety involving motor carriers, highway traffic, mass transit, and railroads. Ground carriers subject to the Interstate Commerce Act are regulated by the Interstate Commerce Commission.

## Motor Carrier Safety

The Bureau of Motor Carrier Safety has responsibilities under part II of the Interstate Commerce Act (49 U.S.C. 301 *et seq.*), for the safety of motor carrier operations. The Bureau prescribes requirements relating to qualifications and maximum hours of service of drivers, and sets safety standards for equipment used by motor carriers engaged in interstate and foreign commerce. The regulations issued by the Bureau apply to common and contract carriers, who are regulated by the Interstate Commerce

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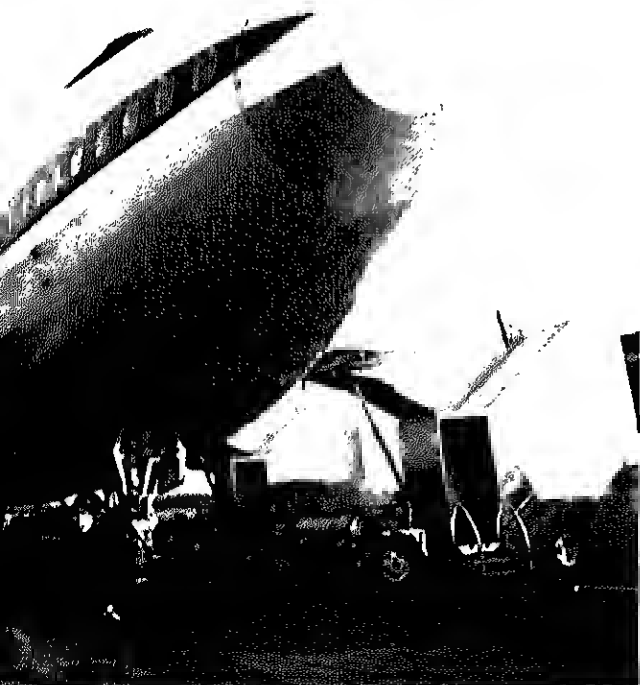
Passengers arriving at John F. Kennedy International Airport, New York City.

Commission, and to private carriers operating motor vehicles in interstate or foreign commerce, who are not. Another safety function carried out by the Bureau is the regulation of the transportation of hazardous materials by motor vehicles.

**Federal and State cooperation.** The Bureau cooperates closely with State agencies having jurisdiction over motor carrier safety. The States and the Bureau participate in joint inspections and evaluations, and both the States and the Bureau furnish evidence to each other if they think they have found a violation of law in the other's province. Investigators of the Bureau are also frequently instructors in State training programs.

## Highway Traffic Safety

The National Highway Traffic Safety Administration (NHTSA) was established to carry out a congressional mandate to reduce the mounting number of deaths and injuries resulting from traffic accidents on the Nation's highways. In accordance with these goals, the NHTSA coordinates programs to improve the safety of operation of motor vehicles, to ensure pedestrian safety, and to solve the problems of driver behavior that relate to safety, such as driving while intoxicated.



projects for 355 State and community agencies. The purpose of these projects was to enable police to respond more quickly to accidents. NHTSA funds also purchased 796 walkie-talkies for police agencies.

**Police training.** In the past 3 years more than 50 percent of all funds available to police agencies has been spent for training, amounting to about \$24 million. About 18,400 officers have participated in courses funded by NHTSA. NHTSA has also funded construction of six training academies.

During FY 1971, NHTSA also funded 175 projects for training equipment. The funds made available under these grants were used to purchase video cameras, projectors, film, and other training aids.

**Helicopters and mobile equipment.** During FY 1971, NHTSA purchased 44 helicopters for State and local agencies. The success of these helicopters is limited as regards traffic safety, although they have been used with success to evacuate people injured in traffic accidents or to enforce speed laws. Studies show that most of the helicopters purchased by NHTSA have been used primarily for crime prevention and investigation.

During FY 1971, NHTSA also bought 491 police vehicles and 193 motorcycles for police agency use.

**Alcohol Safety Action Program.** A major goal of the NHTSA is to identify drinking drivers and utilize other official agencies to rehabilitate those with drinking problems. The Alcohol Safety Action Program (ASAP), in operation in nine locations in FY 1971, provides additional manpower to patrol the streets during the hours when the greatest number of driving-while-intoxicated cases occur, i.e., between the hours of 8 p.m. and 4 a.m.

To carry out this program, 43 persons were assigned to ASAP in FY 1971, and \$3,555,000 was allocated. In FY 1972, 20 additional ASAP sites were expected to be operational.

**Other programs.** Other programs carried out by NHTSA during FY 1971 included a study of the traffic courts, and the development of uniform traffic court procedures in several States. The NHTSA also operated several driver improvement schools.

## Mass Transit Safety

The Urban Mass Transportation Administration (UMTA) was created to assist in the development of improved mass transportation facilities and methods, to encourage the planning and establishment of area-wide mass transportation systems, and to provide assistance to State and local governments to finance them. It was originally created as part of the Department of Housing and Urban Development (HUD) to administer the Urban Mass Transportation Act of 1964, and was transferred to the Department of Transportation in 1968.

In FY 1971, UMTA was involved in two projects which relate to law enforcement.

Aircraft is readied for flight.

ford Research Institute and the University of California. Criminological research methods were used to determine the exact nature of robberies and assaults against bus drivers, and then to evaluate a series of possible solutions in terms of feasibility, cost, effectiveness, and acceptability to transit management, drivers, and the public.

The final report, delivered in 1970, came to the conclusion that the installation of the exact fare system had stopped robberies but not assaults on drivers. The report also concluded that robberies are economically rather than racially motivated. Driver assaults were concluded to be based on cultural deprivation, according to the report. The report also found that a number of technological and operational countermeasures such as alarms, weapons, and two-way radios were not successful, and that reliance on police to catch sufficient numbers of bus criminals to be a deterrent was not effective.

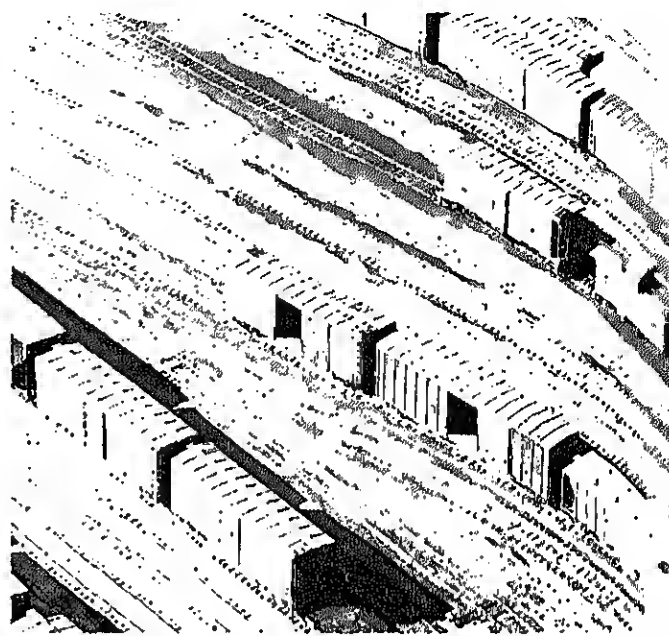
The report also made recommendations on how to improve bus security. It suggested that, in addition to exact fare systems, physical barriers such as shields between drivers and passengers be installed, that paid monitors be used on high-traffic, high-risk runs, and that cameras be installed for use on low-volume traffic runs to record each passenger who boards. The report also suggested passive measures to reduce crime such as improved driver training and intensive community relations efforts.

American Transit Association study. UMTA funded a new project to study vandalism and passenger security in transit vehicles, transit stationary property, and transit employee and passenger parking lots. The grant was awarded to the American Transit Association (ATA). The ATA is conducting a series of projects to investigate various aspects of vandalism and passenger security related to urban bus operations throughout the country, including the identification and categorization of types of vandalism, the cost to the industry, surveys of past campaigns against crime, new restraints and controls, and in-depth interviews and questionnaires of industry leaders and patrons of the mass transit system.

## Railroad Safety

The Federal Railroad Administration, whose responsibilities regarding railroad safety were transferred from the Interstate Commerce Commission when the Department of Transportation was established in 1966, formulates plans and policies relating to the operation of interstate railroads.

The Federal Railroad Administration administers and enforces the Federal laws and regulations designed to promote safety on the railroads. This authority extends to the promulgation and enforcement of standards, regulations, and rules relating to track, equipment, operating practices, signal systems, employee qualifications, employee hours of service, and other safety-related requirements. The regulations are continuously being



Interstate freight shipments.

studied in view of advancing technology and new or revised regulations promulgated when justified. Collisions, derailments, and other railroad accidents resulting in serious injury to persons or property are investigated and reports issued.

## Ground Cargo Safety

In its mission to regulate carriers subject to the Interstate Commerce Act, the Interstate Commerce Commission (ICC) enforces laws that directly affect consumers. Examples are those involving the transportation of household goods, the provision of motor carrier or rail service adequate to meet the needs of the public, and carrier insurance sufficient to protect individuals and cargoes.

Among the consumer-oriented services of the ICC are a series of advisory bulletins alerting the public and prospective transportation users to the existence of certain transportation problems and a regulation requiring household goods carriers to furnish an information bulletin to each prospective customer.

**FBI investigations.** Thefts from interstate shipments account for a substantial portion of FBI investigative activity. During FY 1971, 1,106 convictions were recorded

in such cases and savings and recoveries amounting to \$14,517,432 were obtained. The FBI maintains constant liaison with other law enforcement agencies and cargo representatives; information, literature, and warning posters pertaining to cargo thefts are widely distributed.

**Bureau of Customs Investigations.** Customs Special Agents investigate thefts of cargo in Customs custody. During FY 1971, the Customs Agency Service investigated 698 cargo theft cases and apprehended 253 persons involved in theft of cargo from Customs custody.

## Maritime Security

The United States Coast Guard, part of the Department of Transportation, is the primary maritime enforcement agency of the United States and has responsibility for marine traffic control and safety.

The Federal Maritime Commission, which regulates waterborne shipping in the foreign and domestic offshore commerce of the United States, protects consumer interests by issuing or denying certificates of the financial responsibility of ship owners and operators to pay judgments for personal injury or death, and to refund fares in the event of nonperformance of duty.

**Marine traffic safety.** The Marine Safety Council, part of the Coast Guard, acts as a deliberative body to consider proposed regulations and provide a forum for problems concerning safety at sea.

The Coast Guard also works with several other agencies to ensure waterborne safety.

The Coast Guard and the Army Corps of Engineers cooperate to enforce regulations in harbors and anchorage grounds, to protect navigable waters, and to implement river and harbor improvements.

In response to requests from the National Aeronautics and Space Administration, the Coast Guard also establishes security zones in waters off Cape Kennedy during rocket launchings. Violations of these security zones can result in criminal action being taken against the offender.

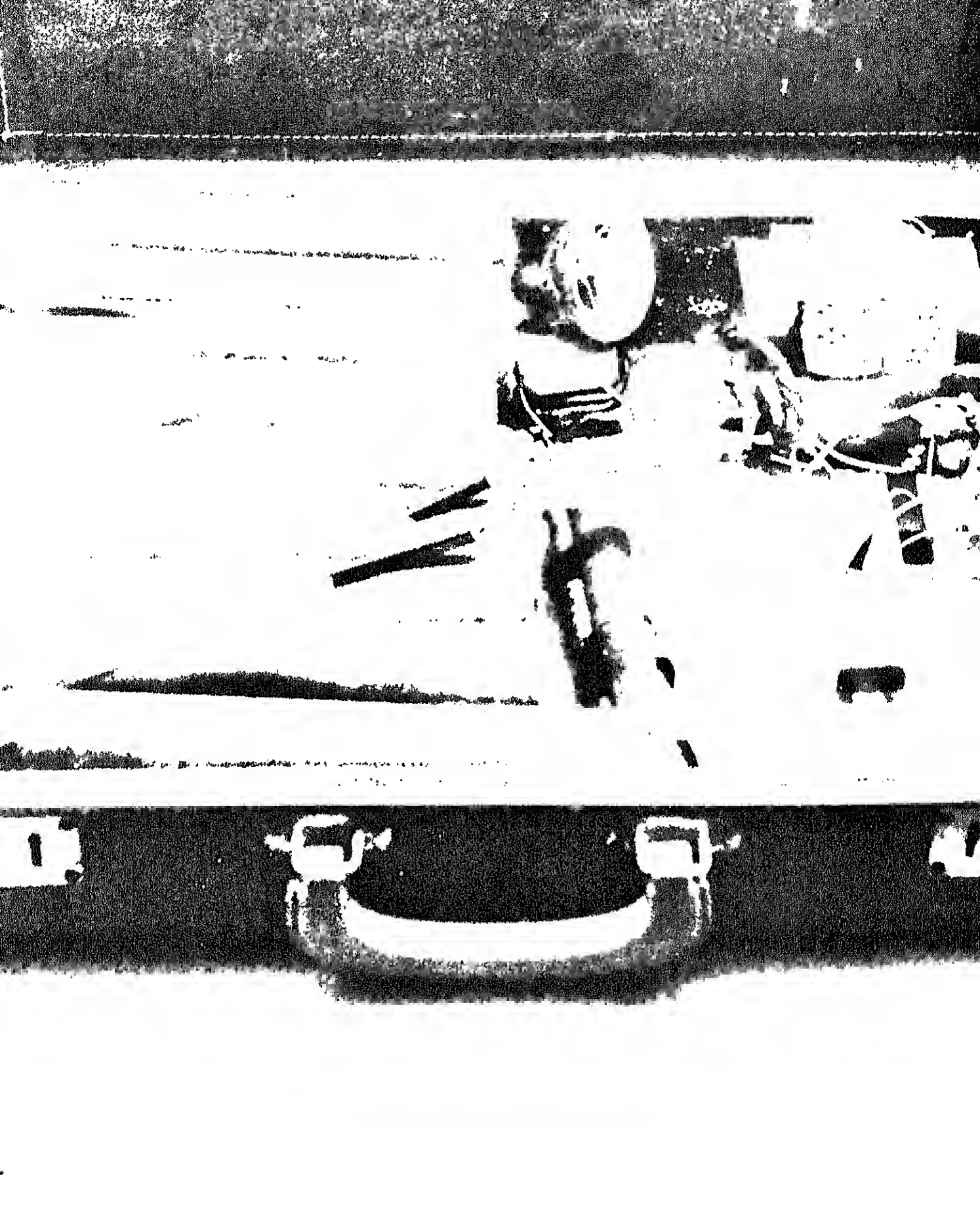
The Coast Guard and the Federal Communications Commission cooperate to identify persons abusing maritime distress frequencies by transmitting false emergency information.

pleasurable, safe, and secure. The Coast Guard sets uniform safety standards for recreational boats, educates small boat owners in safety requirements, and assures compliance with Federal law through education, inspection, and law enforcement. Coast Guard boarding teams inspect small boats to ensure compliance with required safety measures.

The Coast Guard administers a financial assistance program that provides aid to various States toward improving boating safety, including the enforcement of boating safety laws and regulations.

**Port security safety.** The Port Safety Program is directed toward maintaining adequate facilities, preventing damage to existing facilities, and minimizing damage when accidents, fires, or other adverse events occur at U.S. ports. This is done through a program of inspection and patrol of facilities and vessels. The Coast Guard also supervises the loading and unloading of explosives and other dangerous cargo.

**Search and rescue.** The Coast Guard maintains a system of rescue vessels, aircraft, lifeboat stations, and radio stations to carry out its function of saving life and property in and around the navigable waters of the United States. This function includes flood relief and the removing of hazards to navigation.





The bombing of the United States Capitol in March 1971 exemplified the terrifying danger to persons and the costly destruction of public and private property that can be wrought by a few individuals using portable explosive devices.

A bombing directed at a specific victim may kill or injure innocent bystanders. Other bombs, intended to terrorize generally, may cause indiscriminate injury and destruction.

Bombs and bomb threats necessarily require the evacuation of buildings and working areas, resulting in the disruption of work. They affect educational institutions, businesses, Federal and other governmental office operations, and, in particular, the airline industry.

Bombs and bomb threats are being utilized by a diversity of individuals, but notably by members of extremist political organizations and by persons intent on extorting money or other gain.

**Extent of problem.** In FY 1971, explosive and incendiary devices resulted in the loss of 15 lives, the injury of 171 people, and the destruction of some \$10.1 million in public and private property. These explosive devices were often sophisticated, using highly sensitive fuses which detonate the explosive when touched or moved. The seriousness of the problem is compounded by the fact that until recently less than a dozen cities in the United States had an effective capability to deal with it.

## Federal Response

Concern about the increasing bomb problem in the Nation has led to a substantial response by the Federal Government. Congress has enacted legislation strengthening regulation of explosives and increasing penalties for persons convicted of unlawfully using them.

Several departments and agencies of Government now have major programs to develop methods of detecting and neutralizing explosives, to train and equip law enforcement personnel in bomb detection and removal, and to provide assistance in removing explosive devices.

The departments and agencies most concerned with this problem are the Departments of Justice, the Treasury, Defense, and Transportation, the Federal Communications Commission, the General Services Administration, the United States Postal Service, and the Veterans Administration. Descriptions of their activities are included below.

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Homemade explosive devices are examined at the U.S. Naval Explosive Ordnance Disposal Facility, Indian Head, Md.

Federal funds. State and local law enforcement agencies coping with bomb problems have the use of Federal financial assistance from the Law Enforcement Assistance Administration (LEAA), part of the Department of Justice.

This assistance is provided to States for planning and implementing programs to upgrade their law enforcement agencies generally and to bring about the reduction and prevention of crime throughout their jurisdictions.

LEAA funds are provided in the form of block grants and discretionary grants to States. These funds are available for developing and implementing bomb detection and disposal programs at the police department level.

**Research.** The National Institute of Law Enforcement and Criminal Justice, part of LEAA, continued in FY 1971 bomb defense efforts begun in prior fiscal years. Those efforts included research into methods of enabling police to locate, neutralize, and safely dispose of terrorist bombs.

Based on results of an in-house study, the Institute contracted with the Department of the Army to train dogs to enter buildings and detect hidden explosives. The Institute also contracted with the New York City Police Department to field-test two of those dogs under operational conditions.

The Institute contracted with the Army to field-test new bomb vapor analyzing equipment. This equipment can examine suspect materials remotely and detect vapors given off by explosives.

An Institute grant went to the Franklin Institute Research Laboratories to produce bomb optical inspection equipment. This equipment includes an instrumented probe which can be inserted into a container to permit visual inspection of its contents.

Finally, the Institute made two other major grants. One went to the U.S. Army Materiel Command to develop and test bomb neutralization systems. The U.S. Navy received the other grant, to research, test, develop, and evaluate new techniques and systems for bomb inspection, neutralization, and disposal.

## Federal Law Enforcement

All bomb incidents in the United States are reported immediately by teletypewriter or telephone from the investigating agency to the Department of Justice in Washington, D.C.

The General Crimes Section of the Criminal Division of the Department of Justice has been designated as coordinating agency for Federal investigations and prose-

any Federal agency, case, as where the bomb incident occurs within its facilities or within its area of regulatory jurisdiction.

This section describes the major investigative and prosecutorial role of the Federal Government, however, as it is reflected in the activities of the Department of Justice and the Department of the Treasury.

**New Federal explosives law.** President Nixon signed into law on October 15, 1970, the Organized Crime Control Act of 1970 (P.L. 91-452), which greatly broadened Federal authority pertaining to explosives-connected offenses.

In enacting the legislation, however, Congress expressly disclaimed any intent to occupy the field to the exclusion of State law on the same subject matter.

Title XI of the act contains the provisions dealing with explosives, and it adopts two types of approaches to the problem.

The first is essentially a regulatory approach, establishing Federal controls over interstate and foreign commerce of explosives. Through a scheme of licenses and other regulatory machinery, it assists States more effectively to regulate the manufacture, sale, transfer, and storage of explosives within their borders.

Licensing authority is vested in the Secretary of the Treasury, and responsibility for enforcement of regulatory provisions is placed in the Alcohol, Tobacco, and Firearms Division (ATF), which was part of the Internal Revenue Service, Department of the Treasury in FY 1971, and now is a separate Bureau within the Department of the Treasury.

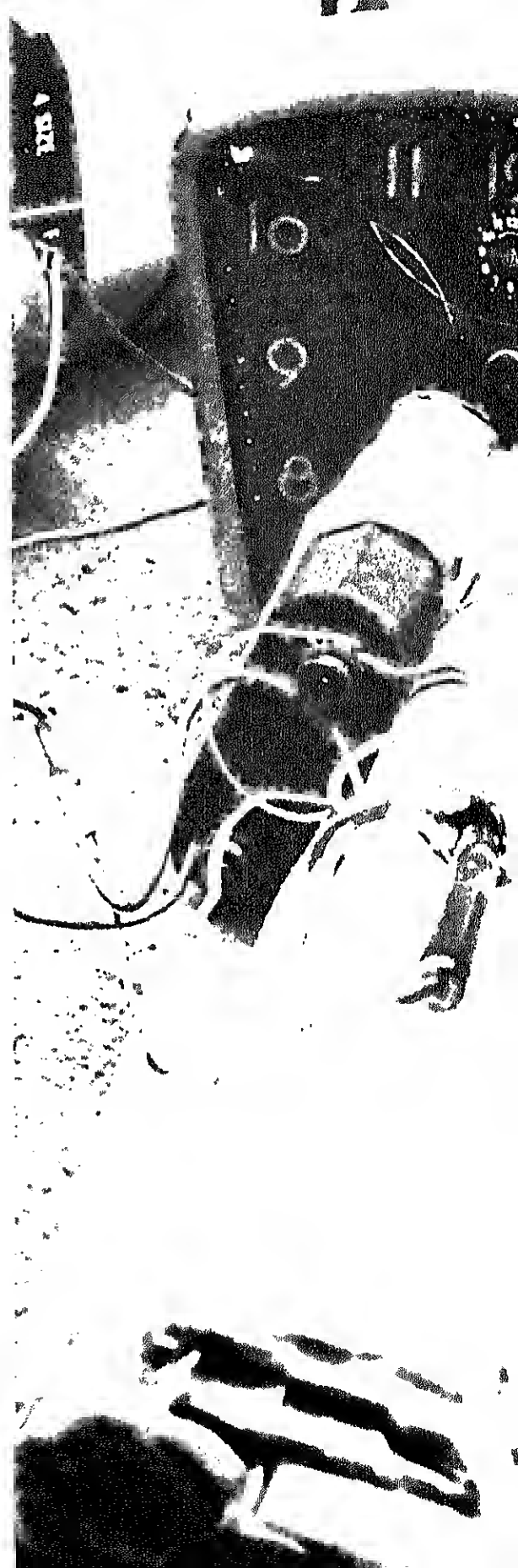
The second approach of title XI strengthens Federal criminal law with respect to the illegal use, transportation, or possession of explosives. It expands the scope of Federal jurisdiction in bombings and it establishes substantial penalties for violations of those provisions, including the death penalty where death results from the use of explosives in violation of certain provisions of the act.

Both the Federal Bureau of Investigation (FBI) and ATF have investigative jurisdiction over the nonregulatory explosives offenses, except those involving the United States mails and postal facilities or equipment. The Postal Inspection Service maintains primary investigative jurisdiction over such offenses.

**Guidelines.** While administration of explosives regulation was vested by the act in ATF, the FBI and the Department of the Treasury were given concurrent investigative jurisdiction as to the criminal provisions.

The Department of Justice, the Department of the Treasury, and the United States Postal Service (in case of postal-related incidents) therefore adopted temporary guidelines which are currently being revised, allocating investigative responsibilities for the criminal provisions of title XI of the act.

The guidelines require a full investigation by the FBI of bombing directed at Federal property, other than postal, a Federal function (such as the National Guard, Selective Service facilities, etc.), or a diplomatic facility; bombings perpetrated by terrorist or revolutionary organizations; and explosive (as distinguished from incendiary) bombings on college campuses.



coordinates with United States attorneys.

The General Crimes Section is the clearinghouse for all inquiries arising under the statute until (but not after)



Officers of the Federal Protective Service of the General Services Administration responding to a bomb threat, which proved to be a false report.

responsibility for a particular matter has passed to another Section of the Criminal Division or to the Civil Rights Division or the Internal Security Division.

**Federal jurisdiction.** Congressional concern over attacks on Reserve Officers Training Corps (ROTC) facilities and other buildings on college campuses was reflected in a phrase in the act extending Federal investigative and prosecutorial jurisdiction to bombing of real or personal property owned or used by "any institution or organization receiving Federal financial assistance."

The phrase broadened Federal jurisdiction to include activities other than ROTC activities, such as public schools, police departments in receipt of LEAA funds, and commercial enterprises financed in part by loans guaranteed by the Federal Government.

## Protection Against Bombs

Various Federal departments and agencies have responsibilities to suppress the bomb threat. Some operate in areas or regulate activities making them particularly vulnerable to bombs or bomb threats.

These departments and agencies are working on methods and procedures to protect against bombs and bomb threats as they affect their operations, facilities, or administrative responsibilities.

Descriptions of their activities follow. In most cases, more detailed descriptions appear in the chapters on their departments and agencies contained in this report.

**Federal Aviation Administration.** The Federal Aviation Administration (FAA) of the Department of Transportation is responsible for air security. FAA coordinates procedures for combating bombing incidents related to aircraft with some 80 other countries. Recently, FAA has tightened security and is working to develop bomb detection devices.

FAA conducts air guard training programs which include detailed instructions on methods of dealing with bombing incidents. A training film is also being developed on the subject.

Research programs to detect bombs and other explosives that could be placed in an aircraft or in luggage are currently underway. Detection is difficult as many of the bombing devices do not contain metal. Research has centered on developing a device that will detect characteristic

to excite the molecules in explosives so they become radioactive isotopes. Preliminary tests show that this system will detect these isotopes. A test is currently underway at Los Angeles International Airport. Cost of each system is about \$40,000.

X-ray systems for bomb detection are available, although primitive systems ruin film. Film-safe units cost about \$35,000. Field-test programs are being arranged to test these devices.

Dogs trained to detect explosives have been tested at Dulles International Airport, near Washington, D.C., with surprising success. FAA is now arranging with police in the Washington, D.C., area to train four more dogs which will be used at National Airport. Dogs will also be used at John F. Kennedy International Airport and LaGuardia Airport in New York, N.Y.

FAA also has a study underway to determine where the safest place is on an airplane to place a bomb if discovered in flight. Full-scale testing will follow the study.

**Bureau of Customs.** The Bureau of Customs has customs security officers (sky marshals) assigned to inspect personnel and baggage as necessary where bomb threats or bomb information has been received.

**United States Postal Service.** In FY 1971, the United States Postal Service received 784 bomb scares, and 13 actual bombings occurred involving postal facilities. During the same period, there was a total of 240 bombs and other explosives illegally sent through the mails that were investigated by Postal Inspectors.

At the request of the Postal Inspection Service, the Research Department at the Postal Service is working on a project to detect bombs, explosives, and narcotics in the mail. An entirely satisfactory solution has not yet been devised due to the rapid speed at which the mail is processed and other factors.

Current research has been directed towards detecting metal masses, such as weapons or metal-encased bombs, or the detection of bombs through vapor determination. A low-level X-ray device not harmful to personnel or film is also being researched.

**General Services Administration.** The General Services Administration (GSA) is responsible for the protection of more than 750,000 Federal employees located in approximately 10,000 buildings owned or leased by the Government all over the United States. In 1970, the Public Building Service developed a course of action designed to improve protection against bombings. The plan included a more professionally trained protection force, and a study and installation of sophisticated intrusion-detection devices.

In October 1970, steps were taken to tighten security against the possibility of bombings. All GSA employees and heads of other Government agencies were asked to be especially alert with respect to the security of personnel, buildings, and property. This increased surveillance includes inspection of suspicious packages carried into buildings. Hardware is being installed on doors to permit securing more entrances while providing safe

instruction that includes bomb search and reconnaissance training.

**Department of Defense.** The Department of Defense operates an Industrial Defense Program that is designed to safeguard approximately 3,500 facilities and utilities which are considered vital to the national defense from bombings, sabotage, and other hostile acts. Department of Defense assistance is advisory in nature and may be accepted or rejected by industry management.

Each year, the Department of Defense undertakes an industrial defense survey of each facility. The survey assesses vulnerability, existing and planned physical security, and emergency preparedness. Guidance and recommendations to strengthen the defense capability of each facility are provided.

The survey is conducted by 51 full-time industrial defense survey officers and clerical personnel. During FY 1970, \$545,000 was spent on these surveys. Approximately \$625,000 was spent in FY 1971.

The Department of the Army has also developed a pamphlet entitled "Industrial Defense Against Civil Disturbances—Bombings—Sabotage," which is made available to law enforcement agencies, public safety officials, educational institutions, and industry. The Department of the Army also makes its expertise available to businesses, universities, and State and local governments by participating in seminars and conferences on the subject of industrial defense.

**United States Coast Guard.** The United States Coast Guard, part of the Department of Transportation, is responsible for the safety of port facilities and vessels. The Coast Guard operates a program directed toward preventing and minimizing damage to port facilities and vessels under United States jurisdiction. The Coast Guard supervises all loading of explosives and other hazardous cargoes. These efforts are directed by Coast Guard officers designated as Captains of the Port in 35 U.S. ports.

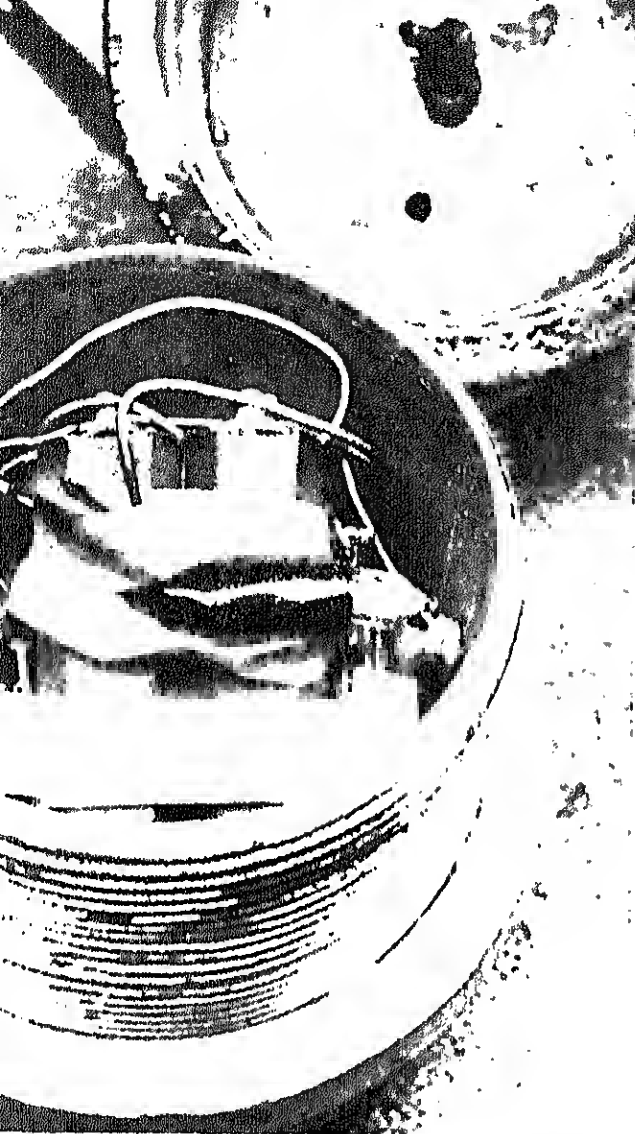
In the event of bombings or attempted bombings, the Coast Guard works closely with the FBI to ensure that safety measures are adequate and vigorously enforced.

**Veterans Administration.** The Veterans Administration (VA) maintains a guard force to protect its facilities. During FY 1971, 711 guards were maintained to protect 165 hospitals or domiciliaries. To counter an excessive number of bomb threats, the authority to search containers being carried into facilities was given to directors of VA hospitals and domiciliaries.

**Federal Communications Commission.** The Federal Communications Commission (FCC) has jurisdiction over violations of the Communications Act of 1934. It is a violation of Federal law to bomb or threaten to bomb a radio or television station.

Threats to bomb, and actual bombing of, radio stations continued during FY 1971.

One bombing involved KPFA, in Houston, Tex. The FCC referred that case to the Department of Justice for appropriate disposition.



homemade bomb.

## Assistance to States

Assistance to State and local law enforcement in the area of bombs and bomb threats is provided by the Department of Defense, the FBI, LEAA, ATF, and the United States Postal Service.

Reports on their activities in this area follow.

**Department of Defense.** The Department of Defense is committed to assisting civil authorities with bomb disposal problems. Assistance provided is exclusively technical and confined to matters affecting public safety. Under the Posse Comitatus Act (18 U.S.C. 1385), military personnel are not permitted to participate in civil law enforcement in any manner, including matters involving bomb searches or investigations.

The military does support the United States Secret Service, part of the Department of the Treasury, in bomb disposal problems relating to the personal protection operations of the Secret Service.

nontechnical methods of handling explosives. The course was presented to thousands of public safety officials and civilians in FY 1971.

**Bomb disposal training.** Under an LEAA contract, the Army undertook to train civilian public safety officials as explosive device disposal technicians at Redstone Arsenal, Alabama. The 3-week course is taught by Army personnel who have wide experience in foreign and domestic ordnance.

In FY 1971, 460 public safety and law enforcement personnel were trained in explosive device disposal. LEAA has final approval of those who attend the course, and the training is coordinated by the Mississippi Division of Law Enforcement Assistance.

**FBI training.** The FBI conducts programs to train law enforcement officers to combat the bombing and bomb threat problem. In FY 1971, 277 law enforcement conferences were held, attended by 33,730 representatives of some 8,305 different agencies. These conferences sought to promote a better understanding of the bombing menace, and to equip law enforcement officers to deal with these acts. The FBI also conducted specialized in-service training to ensure that each Bureau Field Office would be able to provide instructional assistance to local law enforcement officers.

**ATF training.** ATF conducts continuing nationwide programs to train local law enforcement officers to combat the bombing and bomb threat problem. These training sessions seek to promote better understanding of the bombing problem and to equip local officers to effectively investigate and prevent these acts of violence. The publication, "Bomb Threats and Bomb Search Techniques," was prepared and published by ATF for the use of local law enforcement officers and interested business and private industry organizations.

**National Bomb Data Center.** LEAA also provided new information on ordnance disposal to law enforcement agencies through the National Bomb Data Center, located in Gaithersburg, Md. The Center was operated by the International Association of Chiefs of Police through a contract with LEAA. The Center published several bulletins containing new information on bomb disposal techniques and examples of proper response to bomb incidents. It also compiled and published statistics on bombing incidents.

**Investigative assistance.** The FBI, ATF, and the U.S. Postal Service provide assistance to State and local law enforcement agencies, on request, in the investigation and prosecution of bombings or bomb threats. This assistance may take the form of information, investigative help, or laboratory analysis.

ATF and the U.S. Postal Service maintain a forensic laboratory with special equipment for analyzing evidence in bomb cases.

The assistance extended by the FBI, ATF, and the U.S. Postal Service to State and local agencies is extended as well to other Federal agencies.

property from harm. In the search for new ways to protect people from lawbreakers, the Federal Government has engaged in research on two different but related fronts: compiling facts on where, when, and how crimes occur, and exploring the use of architecture and security devices to prevent crime.

**Measurement of crime.** Several surveys into types of crime and the circumstances under which they are most often committed were begun in FY 1971. Through a contract with the Bureau of the Census, LEAA's National Institute sponsored a survey of victims and their households, investigating their attitudes toward the crime, its aftereffects, and the circumstances surrounding it. The National Institute also funded a survey of neighborhood street crime that could lead to developing more effective ways to curtail and protect against it.

Planning for perhaps the most innovative survey, the National Crime Panel, was completed in FY 1971, and operations will begin at the start of FY 1973. Sponsored by the National Institute's Statistics Division, the panel will consist of 60,000 families selected by the Bureau of the Census who will be interviewed twice a year for information on incidence and types of crime, victim characteristics, and other areas relating to criminal justice. The Bureau also will conduct a national sample of approximately 15,000 business establishments, and each establishment will be interviewed approximately twice a year with respect to incidences of robbery and burglary.

Field research on crime and protection techniques are important parts of the Pilot Cities Program, which for the past 2 years has been funded in part by the National Institute and in part through grants from the discretionary funds of LEAA. The program included four cities in FY 1971: Dayton, Ohio; San Jose, Calif.; Charlotte, N.C.; and Albuquerque, N. Mex. In these cities, Government-sponsored research teams work closely with local officials to study the city's crime patterns and devise new ways to combat them and to improve operations of the criminal justice system.

The Department of Transportation (DOT) has been increasingly concerned with crime research. Its Urban Mass Transportation Administration (UMTA) recently completed a study of the circumstances under which assault and robbery of bus drivers occur. Recommendations resulting from the study included exact fare systems, shields between drivers and passengers, and the use of either paid monitors or cameras to scan passengers. UMTA has also funded a project, not yet completed, to study vandalism and passenger safety in transit vehicles and terminals.

Security devices and architecture. The Department of Housing and Urban Development (HUD) sponsors research projects on residential security to test new security systems and architectural designs to discourage vandalism. New features under consideration include improved electronic security systems, automatic police notification of the location of "911" emergency calls, and closed-circuit television surveillance of streets.

LEAA's National Institute, in cooperation with HUD, is supporting a continuing study of residential architecture as it works in crime prevention and tenant self-protection, specifically, the design of public housing projects as small neighborhood areas with walkways and common spaces arranged for maximum use and visibility.

## Criminal Justice System

The National Science Foundation (NSF), with a mission of supporting research and education in the sciences, has awarded a number of grants and contracts for research projects which examine the criminal justice system as a whole.

**Criminalistics.** NSF is supporting a research project to examine the costs and benefits of the application of scientific technology to the field of law enforcement. The study is being carried out through a \$150,000 grant to the Stanford Research Institute.

**New York project.** Research conducted by the School of Criminal Justice at the State University of New York at Albany is studying a number of aspects of crime and the criminal justice system. Funded by NSF for 3 years at \$658,000, the project includes the study of crime as a social phenomenon, systems used by society to control crime, the criminal court system, and recent changes in the criminal justice system.

**Economics.** Another NSF study deals with the economic factors related to illegal activities, and it attempts to combat crime. This 2-year grant to the National Bureau of Economic Research in New York City includes the development of an economic model to show effects of participation in criminal activities, the examination of cost effectiveness of resources expended to fight crime, and an effort to define what constitutes a crime deterrent.

**Processing.** Yale University received a 2-year NSF grant to continue research into decision-making and behavior in the various stages of processing within the legal system. The initial research concentrated on police-citizen relations, especially as relating to the arrest process. Current



research includes studies of the charging process, booking, and plea bargaining.

## Juvenile Delinquency

Federal agencies are taking a variety of approaches in their search for the key to preventing juvenile delinquency, in addition to the research on physiological and psychological causes.

**Community programs.** Encouraging inner-city youths to print community newspapers, produce plays, run a teen employment service, start business enterprises, and tutor their peers in language skills are some of the ways that the Office of Economic Opportunity (OEO) is using to try to turn them away from delinquency and toward constructive projects that fill a need in their communities. HUD has taken a similarly pragmatic approach in an experiment to see whether public housing vandalism can be reduced by teaching the youths who live there maintenance and management skills, with the aim of placing them in jobs in housing projects.

A research project, funded at \$149,512, is underway to improve the security of dwellings against crime. This project is being conducted for HUD and LEAA by two contractors through the Law Enforcement Assistance Administration of the Department of Justice. Its goals are the identification of crime in residential areas by crime category and the contributing factors relating to such crimes, and the development of security systems against crimes committed in or near dwellings.

**Delinquency studies.** On another front, the National Institute has been studying delinquency prevention by working with 27 public schools in Louisville, Ky., to determine the effectiveness of new educational approaches and behavioral techniques in reversing and preventing destructive behavior.

The causes of juvenile delinquency in boys are being studied at Rutgers University through a grant from the National Science Foundation. This comparative research project attempts to determine the effects of poor educational and occupational prospects on delinquents, and field studies will be carried out in Stockholm, Sweden, and Tokyo, Japan.

**New reform programs.** Once a juvenile has been convicted of breaking the law, he may enter the world of reform schools and detention houses, getting a permanent stigmatizing label that diminishes his chances for reform. In FY 1971, NIMH spent about \$1 million on research

projects exploring alternatives to the traditional houses of correction for juveniles.

New programs to make community halfway houses more effective, to test the use of convicts and other non-professionals in supervising young offenders on parole and probation, and to find ways of developing more sense of community responsibility for youth behavior were some of the alternatives being investigated.

NIMH also supported projects examining differential treatment of adolescents in institutions and intervention in homes for pre-delinquent boys, as well as a study comparing homes for female juvenile delinquents.

A major program funded by LEAA's National Institute was started this year to evaluate the effectiveness of different kinds of correctional programs for young offenders, while a \$164,000 project was begun to establish new standards for the handling of youngsters by the courts. The National Institute also gave a \$93,000 grant to Boston University to re-evaluate the duties of a juvenile court prosecutor.

**Systems analysis.** The Systems Analysis Division of LEAA is using computers in predictive problem-solving. In FY 1971, the Division funded a project that first will simulate changes in the work loads, policies, and operations of the juvenile criminal justice system, and then predict costs and results of the proposed changes.

## Narcotics and Dangerous Drugs

The increase of excessive and illegal drug use has led the Federal Government, through its research agencies as well as by other means, to mount an intensive campaign against it. Two kinds of research were done in this area in FY 1971: one was aimed at stopping illicit drug traffic, and one dealt with the individual and his use of drugs.

**Drug traffic.** LEAA's National Institute has funded several research programs aimed at detecting concealed heroin, including using dogs to sniff out heroin concealed in buildings.

Destroying narcotic plants like poppies and marijuana without harming surrounding vegetation is the aim of several programs at the Agricultural Research Service, part of the Department of Agriculture. Currently, ARS is researching the possibility of using an existing USDA-approved weedkiller for such a purpose, while another ARS program is working on finding, nurturing, and transporting insects that would destroy narcotic plants.

Developing new techniques that would enable an in-





investigator to pinpoint the country in which an illegal drug was grown, regardless of its refinement, is another project of ARS, in cooperation with the Bureau of Narcotics and Dangerous Drugs (BNDD) of the Department of Justice.

The Department of Agriculture Extension Service, co-operating with BNDD, launched a pilot program to eliminate wild marijuana growing along roadsides and in unused farmland in many States. The program relied heavily on voluntary cooperation from farmers and other property owners in the test area. Results were mixed, with almost complete eradication of the plant along roadsides and other highly visible places, but much was left in more remote areas.

**Research in drugs.** How marijuana use affects human behavior over long and short periods, what body mechanisms cause addiction, and how nonaddictive drugs can be used to combat addiction are some of the questions being explored under grants and contracts from the Center for Studies of Narcotics and Drug Abuse in the Division of Narcotic Addiction and Drug Abuse of NIMH.

The Center was responsible for the first annual report on marijuana and health, presented to the Congress in February 1971 by the Secretary of HEW. The report, which was a distillation of formal literature, reports from NIMH researchers, and consultation with scientists working in the area, gave the Congress a comprehensive and detailed picture of the latest findings on drug use and abuse.

The Center also funded several overseas studies of the implications of chronic, long-term drug use. One, carried out in Jamaica in cooperation with the University of the West Indies, examined the physiological and psychological effects of long-term marijuana use, with attention to its effects on life-style and work performance. A Greek study, designed to determine the implications of heavy hashish use over long periods, may also give clues to possible effects on more moderate users of the drug.

Clinical research on the effects on humans of delta-9-THC (which scientists believe to be the main psychoactive ingredient in marijuana) was also under way, through contract and grant support by the Center. The effects of short- and long-term use on activities such as driving a car were studied, and a variety of studies were conducted using animal subjects.

New ways to combat narcotic addiction are constantly being sought, and during FY 1971 the Center funded research on several new drug "antagonists"—drugs that inhibit the addictive effect of a narcotic or take away the addict's desire for it. One such antagonist, which has been used successfully in experiments with animals, is itself non-addictive and could be effective for weeks. In addition, a

Testing and evaluation. The National Academy of Sciences, through its Committee on Problems of Drug Dependence, conducts a program to test the dependence-producing potential of analgesic narcotic compounds. The Committee is responsible for two recent research contracts awarded the Academy by BNDD.

A 1-year contract, subcontracted to the Department of Pharmacology of the University of Michigan, enabled the Academy to maintain in FY 1971 a study of the effects of new narcotic analgesics on monkeys. The research is aimed at finding pain-killing drugs that will not produce dependence.

An FY 1972 contract was awarded for a study of substitutes for opium and its derivatives, which will attempt to determine whether the sufficiency of such products would justify a prohibition against the growth and importation of opium.

**Rehabilitation techniques.** Late in FY 1972, Federal drug abuse programs were boosted by the creation of the Special Action Office for Drug Abuse Prevention (SAODAP), which has overall responsibility for all Federal drug abuse programs, including research. Although SAODAP's early activities were focused primarily on reviewing and evaluating existing programs, in cooperation with LEAA it began a pilot project in several cities to test methadone treatment as a deterrent to street crime. Called TASC (Treatment Alternatives to Street Crime), the program offers treatment as a condition of bail to drug users who are arrested for street crimes.

Several other agencies are concerned with developing new and better care for narcotics addicts. NIMH has a large and well-known research center at Lexington, Ky., where the impersonal, institutional approach has given way to more individualized treatment. Step-by-step readjustment to the world without the use of drugs is emphasized.

The Administrative Office of the U.S. Courts, through its Federal Probation Service, also operated a pilot rehabilitation program. In FY 1971, 108 addicts were released from institutions into an aftercare program that combines close supervision by a probation officer with intensive counseling at a drug clinic.

Drug research at LEAA's National Institute includes a study of the effects of methadone treatment on the criminal careers of heroin addicts and on community crime rates, a study of the effect of chronic use of marijuana on the brain, and research into the development of a "clinic-stick," which would detect heroin by changing color when applied to the saliva or urine of a heroin user.

Another instrument to spot heroin users by urine analysis has been developed by the National Aeronautics and Space Administration (NASA) at the request of the New York City Police Department. NASA has been active in crime research, usually by adapting instruments or techniques of space research to the needs of criminal investigation agencies.

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Scientist at Dayton (Ohio) Crime Laboratory tests the properties of LSD.

In FY 1971, a variety of federally funded programs for rehabilitation techniques, encouraged a smoother and more rapid flow of criminal cases through the courts, and enabled police officers to respond more effectively to their communities.

**Police.** The placement of police stations, reduction of tensions between police and citizens, streamlining response to emergency calls, transmitting fingerprints from coast to coast by satellite, and using computers to schedule manpower distribution were some of the topics being researched by Federal agencies in the past fiscal year.

LEAA's National Institute was particularly active in this area. It supported studies developing psychological standards for policemen and reducing time needed for response to emergency calls. A grant enabled the Metropolitan Police Department in Washington, D.C., to use computer technology to work out more efficient police dispatch and patrol routines.

The National Institute also supported an experiment in St. Louis, Mo., where the police department is using computers to compile a crime incidence seriousness index and, on the basis of their findings, developing a computerized system of manpower allocation.

HUD is developing a system for routing and controlling public service vehicles, including police cars, by automatically reporting their location to one central clearinghouse within a metropolitan area. The public safety system, called PULSE, would assure the speediest possible response to emergency calls.

Another Washington, D.C., police experiment during FY 1971 was the Pilot Police District, sponsored by OEO. Aimed at reducing tensions between people and police, this project incorporated research and techniques from many different areas and tested them in a single inner-city police district. The project included seminars for police officers on human relations, citizens' participation in police policy decisions, increased public information about police departments and protection against crime, and centers for emergency help and information that were open on weekends, evenings, and holidays.

The University of Indiana, supported by a grant from the National Science Foundation, conducted a study of 12 neighborhoods to determine whether the institutional variations among police departments—such as small community departments compared with large urban departments—are related to police effectiveness.

Several projects linking psychology and police work were funded by NIMH in FY 1971. They included research on the psychosocial implications of poverty and the law, ghetto attitudes toward law enforcement, and relationships between law and conflict.

Two grants totaling \$360,000 from the LEAA Systems Analysis Center are fostering research intended to speed up police work across the country. The recipient is Project SEARCH (System for Electronic Analysis and Retrieval of Criminal Histories), a program launched in 1969 to promote interstate exchange of offender criminal history files. SEARCH was initially funded by LEAA and its index



Weapons are examined by use of X-ray device at U.S. Naval Explosive Ordnance Disposal Facility, Indian Head, Md.

to trial have engendered new research into computer and systems analysis techniques to ease the burden on accused persons and on criminal justice officers.

During FY 1971, LEAA's National Institute gave several grants for projects to improve court processing of criminal cases. These included an analysis of the Los Angeles district attorney's office, research into channeling criminal cases to noncriminal dispositions, and the application of industrial engineering techniques to improve court operations.

The National Institute also funded several projects to develop mathematical models of court functions that enable planners to see the theoretical effects of change in the court system without going through the costly and time-consuming trial and error method.

Other National Institute programs for improving the court system included an experiment with combining all pretrial motions into a single judicial hearing and a study developing a new approach to State criminal code and rules revision. The National Institute also funded research into courthouse architecture, design of new court security systems, more efficient court transcribing techniques, and opportunities afforded by video-taping of court-connected proceedings.

**Corrections.** Changes in probation and parole systems, new educational and job placement programs for inmates, a new look at work release programs, and the evaluation of some long-established prison programs are among ongoing federally funded projects in the area of corrections during FY 1971.

Several comprehensive programs experimenting with intensive counseling, job training and placement efforts, and increased social and cultural activities have been developed. Project NewGate, funded by OEO, has pilot programs in four State and two Federal institutions; OEO spent a total of \$1,167,357 on it in FY 1971. The project has had encouraging results in its 4 years of operation: only 15 percent of NewGate "graduates" have been convicted of a new offense or sent back to prison because of a parole violation.

An OEO project at El Reno, Okla., Federal Reformatory featured motivational training of prisoners before their release in an attempt to raise their self-esteem.

In Alabama, the Department of Labor funded an experiment attempting to reduce the gap between prisoners and corrections officers with officer training programs and inmate counseling and job training.

Work release programs, in which an inmate goes to an outside job during the day but sleeps at the prison at night, are being studied by both LEAA's National Institute and the Department of Labor. In a study of prisons in Florida and South Carolina, the National Institute sponsored research on the extent to which work release programs cut down on recidivism and how they affect the individual's attitudes and ability to adjust to life outside the prison.

In a similar project, the Office of Research and Development of the Department of Labor surveyed the extent of work release programs and the success with which they have been used by prisons across the country.

**Other studies.** Other studies of the needs of special groups of prisoners were undertaken by the Office of Research and Development, Department of Labor, which sponsored a study of the special job needs of female short-term offenders, and LEAA's National Institute, which continued supporting a project to evaluate the effectiveness of prison disciplinary centers for violent or recalcitrant inmates.

In the area of parole and probation, the often critical stage when the individual's actions lead him toward a new, responsible life or back toward prison, several studies are under way to help parole boards operate more effectively. With the help of the U.S. Board of Parole, the National Institute is supporting a project to provide parole boards with better information on individual offenders in order to improve parole decision-making.

In another project to encourage more personalized treatment of those persons who need it, the Division of Probation of the Administrative Office of the U.S. Courts is investigating a redistribution of cases in which probation officers would be assigned either many low-risk cases or only a few more difficult, high-risk cases. Another project of the division, also aimed at giving each person more individual attention, is a 3-year field study using part-time paraprofessionals in probation and parole supervision to supplement the work of regular parole officers.

In addition, the Department of Labor studied the effectiveness of cooperation with parole boards in coordinating a prisoner's release with the completion of his job training.

## Law Enforcement Equipment

**Standards.** As techniques for preventing crime and enforcing the law become more sophisticated, so too does the equipment used by law enforcement officers. As increased manpower and funds are used in the fight against crime, more and more varieties of crime equipment will be manufactured and sold to police departments and other criminal justice agencies.

To establish high performance standards for criminal justice equipment, the National Bureau of Standards and LEAA's National Institute in FY 1971 established a Law Enforcement Standards Laboratory, which began research on standards for police equipment such as helmets, gas masks, body armor, communications equipment, and vehicles.

The National Bureau of Standards also began development of performance criteria for detectors of various kinds, including metal weapon sensors, low-intensity X-ray devices, and kits for testing narcotics. Work was also started in the Applied Acoustics and Illumination Section of the Bureau on standards for emergency lighting and sirens.

**Equipment.** Significant hardware research included three projects funded by LEAA's National Institute, and in-

reated explosives and protecting against such way.

The Research Department of the U.S. Postal Service is working on several devices to detect explosives in the mail, including one that "sniffs" bomb vapors and one that detects suspicious metal masses in the mails.

LEAA's National Institute and the Federal Aviation Administration (FAA), part of the Department of Transportation, are both researching the use of dogs to sniff out explosives. In March 1971, two dogs, trained under the National Institute project, successfully located a bomb on an aircraft minutes before it was set to go off. The FAA also is funding the development of a device that will locate explosives by turning their molecules into radioactive isotopes, which can then be detected with a standard instrument.

The use of low-intensity X-rays to find explosives is being refined by both the FAA and the Postal Service, and the National Institute has funded projects by the Army and the Navy to develop and test bomb neutralization systems.

The threat of hijackings and bombs on commercial airliners has led the FAA to fund several projects exploring new protection techniques in this area. One is testing a computer-assisted system that screens passengers for concealed weapons at the rate of 20 per minute. Another is for developing and testing an armor installation to protect the cockpit of an airplane from unauthorized visitors and stray bullets. In a third project, the FAA is researching the best place to stow a bomb discovered on an airplane in midflight, to minimize danger to plane and passengers if it explodes.

## Civil Disorders

In an effort to learn more about effective ways to deal with collective violence, LEAA's National Institute has funded several projects: a study of police behavior in a college riot, with emphasis on campus unrest at Ohio State University in the spring of 1970; research into what information is needed by law enforcement officials before and during civil disorders; and a study of the problems of fire departments during riots.

## Organized Crime

Several National Institute projects concerning organized crime were in progress during FY 1971. Subjects of study included "ethnic succession" in organized crime and organized crime intelligence systems.

Another National Institute study focuses on the patterns of consumer borrowing from loan sharks and the extent of lenders' links to the underworld.

## Forensic Science

In a continuing effort to bring scientific accuracy to criminal investigation techniques, the Federal Government sup-

ported a study of the car involved in a hit-and-run accident by analysis of a small paint chip left at the scene of the crime. Another project, using NASA technical expertise and funded by LEAA, is experimenting with the use of a fiber optics profilometer, originally used to detect flaws on the surface of rocket tubes, to "read" potentially incriminating indentations left on a pad of paper after the top sheet has been written on and then torn off.

A grant from the National Institute enabled researchers from New York to learn new techniques from Great Britain for identifying and analyzing minute particles of dried blood. LEAA's National Institute developed a manual of procedures and equipment package design based on the techniques and conducted an experimental workshop that trained experts from more than 20 major crime laboratories in the Nation in the techniques.

Research by LEAA's National Institute has led to a technique of trace metal detection that shows whether a person has recently handled a gun or other metal instrument. Several police departments have already adopted this technique and have found it especially useful in investigating suicides.

A project by the Atomic Energy Commission (AEC) may result in tracking down criminals through analyzing trace elements in their tissues. Conducted by the Division of Biology and Medicine of the AEC, it is expected when fully developed to aid in criminal court procedures. Nuclear technology also is involved in an AEC isotopes development program which may, among other applications, use nuclear analysis to help identify stolen or faked works of art.

## Data Processing and Analysis

The application of automatic data processing, systems analysis techniques, and high-speed electronic communications is bringing about a major revolution in the law enforcement and criminal justice system.

Management of law enforcement agencies is turning to automatic data processing and systems analysis as tools for use in all aspects of management, ranging from assignment of patrol cars to budget control and projections of personnel needs.

At the operational level, computerized information can be transmitted by radio to a small print-out machine in a patrol car, giving the policeman an instant report on stolen cars and fugitives, for example.

Descriptions of some key projects under research in these areas follow.

**Information and systems analysis.** The Systems Development Division of the Office of Criminal Justice Assistance, LEAA, is charged with the responsibility of assisting States and their local units of government in applying systems analysis theory and techniques to law enforcement and criminal justice problems.

A promising application of data processing and systems

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Sophisticated crime laboratory equipment produces continuous graph that compares any two items being analyzed.

tain demographic data, crime statistics, and geographic information. It will facilitate analysis of the criminal justice system.

A workable public safety information system suitable for municipal areas is under development by the Urban Information Systems Interagency Committee, a consortium of Federal agencies led by HUD.

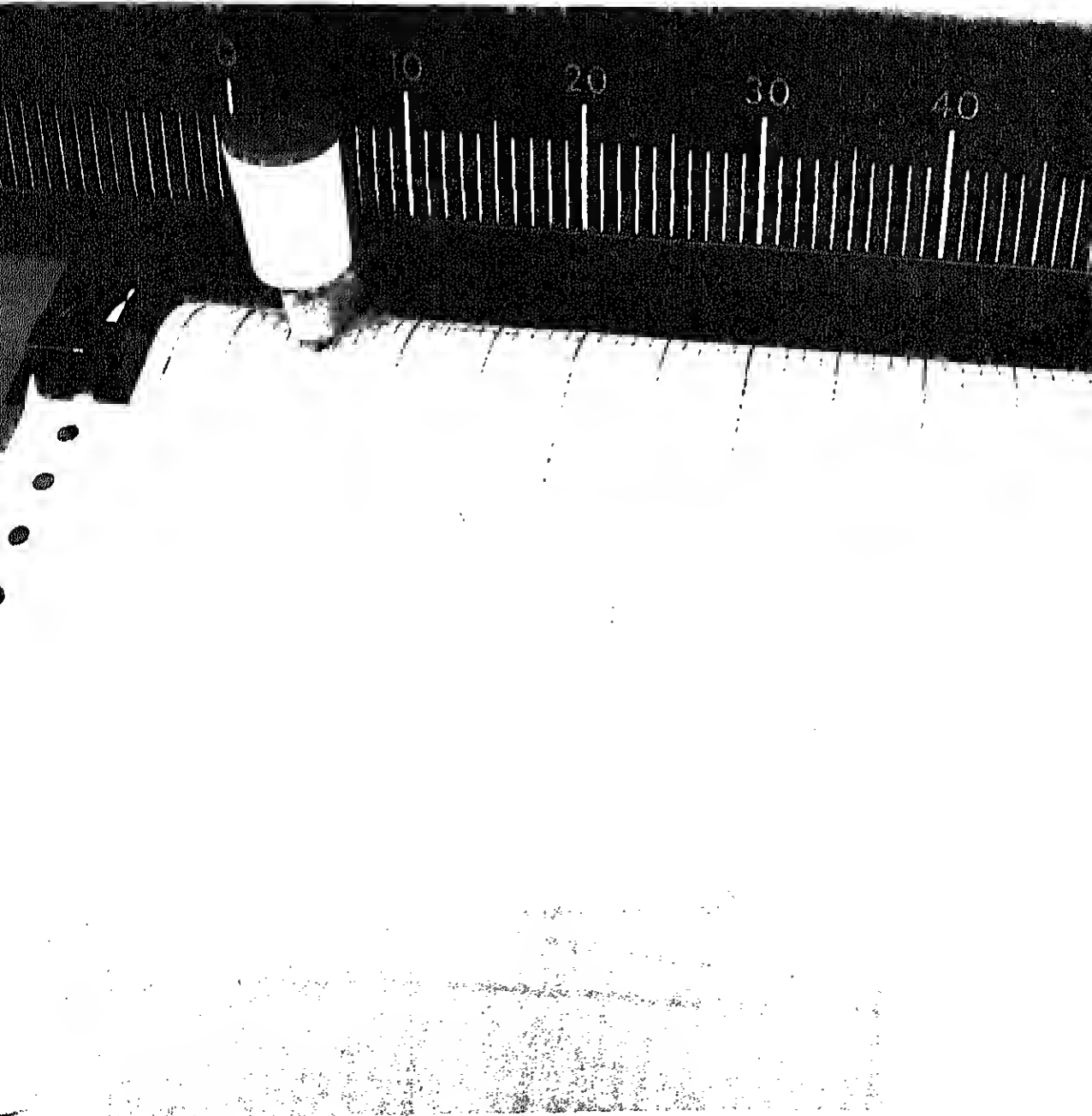
**SEARCH.** LEAA and the FBI cooperate on a project to develop a nationwide system of electronic retrieval of the criminal histories of offenders at all levels of the Federal, State, and local criminal justice systems. LEAA funds the project and the FBI operates it.

The project is called SEARCH (System for Electronic Analysis and Retrieval of Criminal Histories), and when in full operation it will provide a central source for track-

LEAA's National Institute in FY 1971 awarded three fellowships for visiting scholars to do 1 year of research at the Institute, 50 graduate research fellowships to doctoral candidates for study at universities across the country, and nine pilot grants to new researchers.

Sixteen grants totaling \$958,000 were given by NIMH for training new researchers in criminal justice. Recipients included sociologists, psychologists, anthropologists, and others who will study areas including social deviance, criminal law, social disorganization, juvenile delinquency, adult crime, mental illness, suicide, alcoholism, and drug abuse.

NIMH also supported 17 research fellowships totaling about \$150,000 for graduate education in crime and delinquency to specialists in psychology, biology, and related fields.









The main Federal responsibility in the national effort against crime falls on the Department of Justice.

At the direction of President Nixon and under the leadership of two Attorneys General, the Department has launched the greatest and most sustained crime reduction program in its 102-year history.

Since 1969, the Department has expanded its manpower to detect, investigate, and prosecute persons violating Federal criminal law.

It has dramatically increased the number of indictments and convictions in such areas as narcotics trafficking and organized crime.

It has raised its funding of State and local crime reduction programs from \$63 million in FY 1969 to \$699 million in FY 1972.

It has implemented major new legislation enacted by Congress in the areas of narcotic addiction and drug abuse, organized crime, Federal and State corrections, and juvenile delinquency.

It has worked in development of programs to combat international piracy.

It has established a working agreement with the Department of Defense to anticipate and control civil disorders.

It has addressed the problems of white collar crime and crime against the consumer.

It has poured effort and resources into beginning to make the District of Columbia again a city of safe streets and parks.

Major recent developments in the Department of Justice crime reduction program include:

Establishment of the Office of Drug Abuse Law Enforcement to bring the full force of Federal criminal law to bear on street-level heroin traffickers;

Increasing the organized crime strike forces from seven at the beginning of 1969 to 18 in 1972, with an attendant increase in prosecutors;

Recruiting of 1,000 new FBI agents and 660 new agents for the Bureau of Narcotics and Dangerous Drugs (BNDD);

Doubling of indictments by the Organized Crime and Racketeering Section of the Criminal Division in FY 1971 from 1,012 to 2,122 and convictions from 389 to 679;

More than quadrupling the amount of heroin and morphine base seized by BNDD, from 707.9 pounds in FY 1969 to 2,915.5 pounds in FY 1971;

Analyst tests components of marijuana in a crime laboratory which has been funded by the Law Enforcement Assistance Administration.

- ☐ Producing more than \$475 million in savings, recoveries, and fines by the FBI in FY 1971, an average return of \$1.61 for each FBI operations dollar appropriated and a 16 percent increase from FY 1970;
- ☐ Development and implementation by the Bureau of Prisons of a 10-year comprehensive plan for major innovations in prisoner rehabilitation; and
- ☐ Increase in Department resources in FY 1971 alone from more than \$862 million to more than \$1.25 billion and from 38,530 authorized personnel to 45,635.

Other recent Department efforts include:

- ☐ Development by the National Advisory Commission on Criminal Justice Standards and Goals of a systematic approach for States and municipalities to implement voluntarily to reduce crime;
- ☐ Support of the first National Conference on the Judiciary;
- ☐ Support of the National Conference on Corrections, the first such meeting in 100 years;
- ☐ Employment of tax laws against persons obtaining unreported income from illicit activities, such as organized crime, narcotics traffic, or corruption of public officials; and
- ☐ A new litigative attack on polluters, in conjunction with the Environmental Protection Agency.

**Narcotics and dangerous drugs.** The Department expanded its efforts against the illegal drug trade on several fronts in 1971, including the planning for the new Office of Drug Abuse Law Enforcement (DALE), which was announced in March 1972. DALE agents work with other Federal agencies in striking at high-level narcotics operations. These coordinated efforts are now in 33 cities.

With financial aid from the Law Enforcement Assistance Administration (LEAA), BNDD formed Metropolitan Enforcement Groups (MEGs) in major cities to strike at volume drug operations. Other BNDD aid was in training of State and local drug enforcement personnel, and in providing laboratory services for examining evidence in drug cases.

LEAA awarded grants for strengthening local enforcement of drug laws and for the development of drug rehabilitation programs. Also, the Bureau of Prisons in FY 1971 began a new drug rehabilitation program for addicts who did not qualify for treatment under existing programs.

Immigration and Naturalization authorities began more thorough searches of persons entering the United States, to intercept narcotics being smuggled from other countries.

1971.  
Legal action by the Department followed an increase in the multi-agency strike forces, which were set up specifically to investigate and prosecute underworld ringleaders. The number of these strike forces has grown from seven at the beginning of 1969 to 18 in 1972.

Directing the coordinated Federal attack on organized crime is the Cabinet-level National Council on Organized Crime. The Council, formed by President Nixon in 1970, is headed by the Attorney General.

Passage of the Organized Crime Control Act of 1970 with the active support of President Nixon gave the Department new powers in the fight against organized crime. The act authorized special use of grand juries, and protection and immunity for witnesses assisting the prosecution.

To aid State and local efforts against organized crime, LEAA in FY 1971 doubled the previous year's funding of organized crime prevention and control programs, from about \$6.6 million to more than \$11 million.

Upgrading local law enforcement. President Nixon requested and the Congress appropriated funding for greatly expanded LEAA programs in FY 1970 and 1971, enabling the Department to increase its aid to States for crime and delinquency prevention and control.

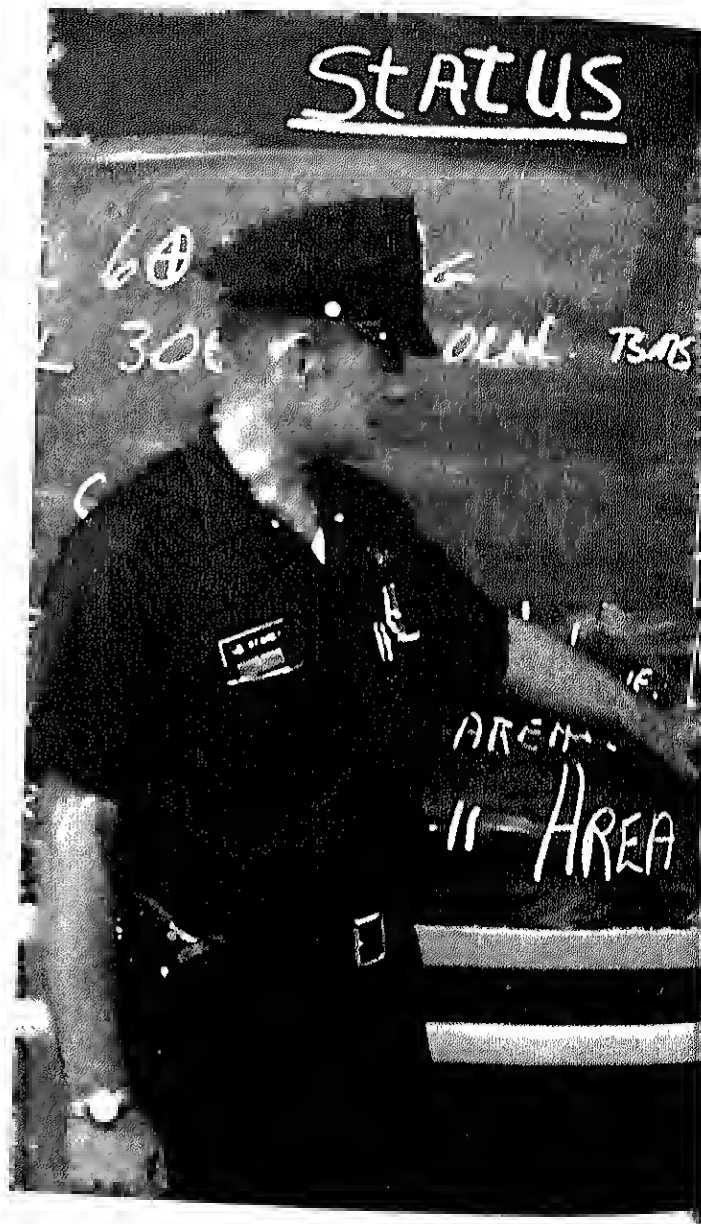
Congressional appropriations for LEAA have increased from its first year funding of \$63 million in FY 1969 to \$699 million in FY 1972. The increase has provided more Federal funds for States to upgrade their police, courts, and corrections systems and to improve their capability to cope with juvenile delinquency, organized crime, civil disorders, and narcotics addiction and drug abuse.

LEAA aid to the District of Columbia was a factor in a crime rate decrease of 18.7 percent in FY 1971 in the Nation's Capital.

Victims of crime. At the request of LEAA, the Bureau of the Census undertook a project to develop a large-scale, continuing, national measurement of criminal victimization. Interim steps were taken in FY 1971, building up to a national sample of 60,000 interviewed households during FY 1972. The Bureau also conducted a survey of criminal victimization of business establishments, in two American cities, to determine the amount and kind of crime in commercial areas.

National Conference on the Judiciary. During the fiscal year, LEAA funded the Department's conference in Williamsburg, Va., to study methods of improving the court system.

In an opening address to the conference, President Nixon called for "genuine reform" of the Nation's courts. Chief Justice Warren E. Burger proposed, and the President endorsed, the establishment of a National Center for State Courts. Such a Center, the President said, would enable State courts to do research on problems in procedure, administration, and training of judges and their personnel, and could be a clearinghouse for information on State court problems and reforms. The Chief Justice urged the American Bar Association to plan a major role in developing the Center.



Pilot briefing is part of District of Columbia police helicopter operations, which have received funding support from the Law Enforcement Assistance Administration.

Corrections. In response to a 13-point program of prison reform called for by President Nixon, the Bureau of Prisons developed a 10-year plan to upgrade the Federal corrections system, and to design new rehabilitative programs for special groups of inmates. New legislation in FY 1971 authorized LEAA to award grants for the construction and improvement of State corrections facilities.

**National Conference on Corrections.** In December 1971, the first National Conference on Corrections in more than a century was convened in Williamsburg. Financed by a grant from LEAA, the Conference was attended by more than 350 delegates, who considered the major issues facing the Nation's corrections systems.

Speaking at the conference, Attorney General John N. Mitchell cited the need for a National Corrections Academy that would be a center for the development of corrections policies and programs. The Attorney General also proposed the establishment of a National Clearinghouse for Criminal Justice Architecture, to give technical advice to the States on prison construction, and a National Center for Correctional Education, to develop education programs for inmates. Work on all three of these proposals is now under way.

Chief Justice Warren E. Burger also endorsed the proposal for a National Corrections Academy, and said that its establishment "could be one of the milestones in American correctional history."

**Jail census.** Extensive data about the jail systems of the Nation were compiled for the first time and released by the Department in FY 1971. The 1970 *Jail Census* contained information on the 4,037 local jails that have authority to hold persons more than 48 hours. The census found that more than half the 160,000 jail inmates were being held for some reason other than conviction of a crime. It also found shortcomings in the facilities and services of the 3,300 jails in localities of more than 25,000 in population. About 85 percent of these jails had no recreational or educational facilities, and half had no medical facilities.

To alleviate these conditions, LEAA in FY 1971 implemented a new program of grants for the improvement and construction of facilities in all phases of the Nation's corrections system. Called the part E program, after the authorizing legislation, it will address all phases of the corrections system, including probation and parole. LEAA awarded a total of \$47.5 million in part E funds to the States in FY 1971. Part E programs provide both or block grants to the States and for discretionary grants to State planning agencies and local governments.

**Air piracy.** U.S. marshals screen passengers at more than 12 airports across the country to prevent would-be hijackers from boarding flights. In addition, the Criminal Division returned 23 indictments against hijackers during the fiscal year.

**Tax law enforcement.** Development of major tax cases against racketeers, narcotics traffickers, and corrupt pub-

## Organization and Activities

Summaries of major activities of the Department of Justice are provided immediately below, followed by detailed reports on those activities.

The Department of Justice was established by the Act of June 22, 1870 (16 Stat. 162; 28 U.S.C. 501, 503). The office of Attorney General had been created by the Act of September 24, 1789 (1 Stat. 92, 16 Stat. 162; 28 U.S.C. 503), as amended.

The Deputy Attorney General assists the Attorney General in his duties and serves as his deputy in administering the Department. In addition, the Office of the Deputy Attorney General has four components, each of which had activities in FY 1971 pertaining to crime control and reduction, and they are reported on below. The four are: Legislative and Legal Section; Executive Office for United States Attorneys; United States Marshals Service; and Office of Criminal Justice.

The Solicitor General represents the Federal Government before the Supreme Court and briefs and argues cases there, including appeals of criminal cases from lower courts.

**Divisions.** Virtually all the Divisions of the Department of Justice had significant activities in FY 1971 related to crime control and reduction. The Divisions are the Criminal, Internal Security, Civil Rights, Antitrust, Land and Natural Resources, Tax, and Administrative Divisions. Reports on their activities are presented later in this chapter.

**Federal Bureau of Investigation.** The Federal Bureau of Investigation (FBI) increased its activities in FY 1971 in investigating violations of Federal criminal laws. Especially notable was increased FBI involvement in the Federal drive against organized crime. That involvement included participation in the largest series of raids in FBI history. FBI jurisdiction in the field of illegal gambling was expanded during FY 1971 after the passage of the Organized Crime Control Act of 1970. FBI information dissemination, laboratory examinations, and National Crime Information Center activity also increased during the year, enabling other Federal, State, and local enforcement agencies to improve their effectiveness.

Results achieved from this increased activity included record fines, savings, and recoveries; record fugitive apprehensions; and convictions arising from FBI cases totaling 13,357.

**Bureau of Narcotics and Dangerous Drugs.** Efforts of the Bureau of Narcotics and Dangerous Drugs (BNDD)

to control narcotic and dangerous drug use and traffic during FY 1971 included investigation and enforcement activities, educational programs, and assistance to State and local agencies. Top priority was placed on combating organized crime. BNDD agents continued their participation on Department of Justice organized crime strike forces. The activities of Metropolitan Enforcement Groups—consisting of local enforcement officials and BNDD agents and aimed at apprehending drug traffickers—increased substantially in FY 1971, with further expansion planned in the future. BNDD training programs were expanded through the initiation of a new intensive course for police officers specializing in narcotic and dangerous drug control. BNDD also continued to assist local enforcement through the services of its regional laboratories. In FY 1971, BNDD agents confiscated 2,915.5 pounds of heroin and morphine base, and made 2,212 arrests. The amount of heroin seized was substantially higher than in previous years. In FY 1970, 1,311.9 pounds were recovered, and in FY 1969, 707.9 pounds.

**Law Enforcement Assistance Administration.** Massive Federal funding to assist States in reducing crime and delinquency is channeled through the Law Enforcement Assistance Administration (LEAA). That funding reached a 3-year total of \$860 million by the close of FY 1971, with \$370 million of that going directly to support improved police programs. The budget for LEAA was increased by Congress to \$699 million for FY 1972. LEAA also conducted programs of law enforcement research and evaluation, education and training for law enforcement personnel, technical assistance to States, and the gathering and analysis of law enforcement statistics.

**Bureau of Prisons.** Following President Nixon's 13-point directive on Federal corrections programs, the Bureau in FY 1971 initiated programs to improve the services of facilities in the Federal prison system. These included the opening of the first of five Regional Staff Training Centers; planning for regional medical centers, for the construction of new institutions near metropolitan areas, and for a behavioral research center; development of a new drug abuse treatment program and planning for additional treatment facilities; improving the Bureau's information system; and expanding its legal section.

**Immigration and Naturalization Service.** Almost every phase of the administration and enforcement of immigration and nationality laws was stepped up substantially during FY 1971. Consequently, Immigration and Naturalization Service (INS) inspections to determine

admissibility of persons into the United States reached an all-time record. Another record was reached in the number of narcotics and dangerous drug smugglers detected by INS Border Patrol agents. In its capacity to detain or deport persons who are in the United States illegally, INS placed emphasis on removal of violators of narcotics laws during FY 1971; and the number of those deported continued to increase. The investigation of aliens involved in criminal activities increased for almost all categories of crime, with continuing priority given to investigating those suspected of organized crime involvement.

**Board of Immigration Appeals.** The Board of Immigration Appeals continued in FY 1971 its concern with aliens who violate Federal or State criminal statutes or who, with a criminal record, seek to enter, remain in, or leave the Nation illegally. The primary mission of the Board is to hear administrative appeals on decisions made by the Immigration and Naturalization Service.

**Community Relations Service.** Programs aided by the Community Relations Service (CRS) in FY 1971 included those initiating criminal justice studies at predominantly black colleges, providing means of legal redress for members of minority groups who had suffered injustices, and developing community relations programs for law enforcement agencies. Helping communities cope with crises and racial tensions is another type of CRS assistance, and CRS conciliators responded to 671 requests to restore peace during FY 1971.

**U.S. Board of Parole.** Paroles for Federal prisoners increased from 2,754 in FY 1970 to 4,346 in FY 1971. The number of parole violators also increased, but by a much smaller proportion—from 1,749 in FY 1970 to 2,045 in FY 1971.

**Pardon Attorney.** The President granted 157 pardons and 16 commutations of sentence in FY 1971, while 548 applications for executive clemency were denied. The President acted on the advice of the Attorney General, who receives reviews of all petitions for executive clemency from the Pardon Attorney.

## Federal Bureau of Investigation

The Federal Bureau of Investigation (FBI) is the principal investigative arm of the Department of Justice.

Specifically, the FBI is responsible for investigations

FBI Special Agent examines stolen military rifles recovered by the FBI.

forcement agencies, particularly at the State and local level.

**Resources.** The FBI maintains tight control over its fiscal operations, insuring a maximum return for funds appropriated. Careful consideration is given to the Bureau's needs and its budget requests are kept to a minimum.

**Convictions.** Convictions arising from FBI cases totaled 13,357, with the resulting imposition of sentences amounting to approximately 50,604 years.

**Organized crime.** In conjunction with the Government's all-out drive against organized crime, the FBI continued to strike against major elements of this underworld empire throughout FY 1971. As a result of Bureau investiga-



tions in this critical field, 631 organized crime, gambling, and vice figures were convicted of an assortment of Federal charges (compared with a total of 461 convictions the preceding fiscal year). More than \$9,000,000 worth of cash, property, weapons, and gambling paraphernalia was confiscated. In addition, more than 1,900 organized crime subjects—including six national syndicate leaders—were in various stages of prosecution as the fiscal year closed.

**Illegal gambling.** Passage of the Organized Crime Control Act of 1970 greatly expanded FBI jurisdiction in the illegal gambling field. FY 1971 accomplishments under this act, which went into effect in October 1970, amounted to some 725 arrests and the confiscation of cash, property, and gambling paraphernalia valued at approximately \$1,700,000.

**Raids.** During the entire fiscal year, FBI antigambling operations included the largest series of raids in Bureau history. Among these were raids conducted in Louisiana and Mississippi in November 1970, which led to the seizure of more than \$6,650,000 in cash and pinball and slot machines. In February 1971, raids in seven States and the District of Columbia led to 56 arrests and broke up an interstate operation handling approximately \$60,000,000 a year in wagers. FBI raids on five syndicate-controlled gambling operations—estimated to be handling about \$163,000,000 yearly in bets—in the New York City area during the months of April and May 1971, resulted in 79 arrests. Another series of gambling raids in Michigan, Florida, Illinois, and Nevada in May 1971, and involving more than 400 FBI Agents, yielded 150 arrests.

## Information Dissemination

A vital aspect of the FBI campaign against organized crime involves the prompt dissemination of appropriate information to other law enforcement agencies. On an overall basis, 340,451 items of criminal intelligence information were forwarded to these other agencies during FY 1971, an increase of some 42,000 over the previous year's total.

Of these 340,451 items, those dealing specifically with organized crime operations enabled the recipient agencies to conduct nearly 650 raids and arrest nearly 4,000 rackets and gambling figures and to seize more than \$2,000,000 worth of currency, contraband, and gambling paraphernalia.

In one instance, information provided enabled one police department to smash two major gambling opera-

crimes and the prevention of unwarranted or hasty other planned offenses. During FY 1971, dissemination of FBI informant information resulted in the arrest of 672 persons by other Federal law enforcement agencies and the recovery of \$7,591,736 worth of money and merchandise. Also on the basis of such information, State and local authorities made 6,996 arrests and realized recoveries amounting to \$14,047,548.

**Arrests.** In relation to FBI operations, 6,565 subjects of FBI investigations, including fugitives, were arrested as a result of data furnished by Bureau confidential informants, and 1,690 persons sought for questioning in FBI cases were located. This information further assisted FBI Special Agents in the recovery of money and merchandise valued at \$30,007,005.

**Fugitive apprehensions.** Fugitive apprehensions of all types by Special Agents numbered 33,863 during FY 1971 and marked a 12 percent increase over the previous period's record total. Apprehensions of general fugitives (those other than deserters) reached an all-time high of 13,693. Of this total, more than 2,800 were fugitives located for State and local law enforcement agencies under the Federal Unlawful Flight Statute, which enables the FBI to locate individuals who flee across State lines in order to avoid prosecution, confinement, or to avoid giving testimony where State felonies are involved.

## Other Accomplishments

In connection with the some 185 investigative matters within its investigative jurisdiction, the FBI scored a number of other noteworthy accomplishments in FY 1971. Descriptions of major accomplishments follow.

**Bank robbery convictions.** Convictions under the Federal Bank Robbery and Incidental Crimes Statute totaled 1,613, with many of those convicted having committed more than one offense. In regard to this category of crime, clinics are conducted by the FBI from time to time for the benefit of local police, as well as bank officials and employees, concerning the prevention and investigation of such offenses. In addition, when investigation determines that a robbed banking institution has not conformed to regulations of the Bank Protection Act, which requires banks to have security devices and procedures, a memorandum is submitted to the regulatory agency in each such instance.

**Other bank crimes.** Also during the fiscal period, a record number of 949 convictions resulted from violations of the Federal Reserve Act, and fines, savings, and recoveries in these cases totaled \$23,020,740. Crimes committed aboard aircraft, which fall within FBI jurisdiction, resulted in 54 convictions, a 74 percent increase over those occurring during the previous period.



**Stolen property.** Violations of the Interstate Transportation of Stolen Property Statute and closely related statutes falling within the jurisdiction of the FBI brought about 1,277 convictions, and savings and recoveries totaling \$43,346,633 in FY 1971. During this period, an increasing number of thefts from brokerage houses and financial institutions occurred. FBI investigative activity in these matters led to the recovery of securities valued at more than \$20,000,000 and resulted in over 60 arrests. In an effort to combat this type of menace, FBI representatives hold periodic seminars designed to alert concerned segments of the business community to this form of criminal activity.

**Stolen cars.** FY 1971 also saw a record 32,076 motor vehicles valued at \$58,613,402 recovered in connection with violations of the Interstate Transportation of Stolen Motor Vehicles Statute. Interstate automobile theft rings, typically composed of professional thieves, constitute a major challenge to law enforcement, and at the conclusion of the fiscal year, the FBI had 120 such rings under active investigation. Convictions under this statute numbered 2,427.

**Cargo thefts.** Theft from interstate shipments account for a substantial portion of FBI investigative activity, and during FY 1971, 1,106 convictions were recorded in such cases. Savings and recoveries amounting to \$14,517,432 were attained. In respect to these crimes, the FBI maintains constant liaison with other law enforcement agencies and cargo representatives, alerting them to the Bureau's jurisdiction as well as suggested countermeasures. Informative literature and warning posters pertaining to these thefts are also distributed widely by the FBI.

**Civil rights.** Complaints alleging deprivation of rights and privileges protected under Federal civil rights statutes are investigated by the FBI. The results of these investigations are immediately furnished to the Civil Rights Division of the Department of Justice for prosecutive determination. During the fiscal year, 6,995 cases of this type were handled by the FBI.

**Federal lands.** FBI investigations of crimes on Government and Indian reservations led to a total of 1,484 convictions and the location of 486 fugitives during the fiscal year.

**Assaults on police.** Assaults against police officers today constitute an extremely serious problem in law enforcement. On June 3, 1971, President Nixon addressed himself to this problem by directing that in addition to making available the cooperative services of the FBI's Laboratory, Identification Division, and National Crime Information Center and covering of out-of-State leads, the Bureau would, upon the request of any chief of police, enter the investigation of police killings and conduct investigation toward the solution of the crime jointly, in much the same manner as investigations of bank robberies involving Federal and local violations are conducted.

to other law enforcement agencies is obtained through investigation as well as from confidential informants. Noteworthy in this respect has been information regarding the illegal acquisition and stockpiling of weapons, ammunition, explosives, and incendiary devices. Such information is appropriately and expeditiously disseminated.

## Service Activities

Significantly complementing the FBI's contribution to this Nation's war against crime are the many services provided by the Bureau on a cost-free basis to law enforcement at all levels of government. Essential, in this regard, have been the services of the FBI Laboratory, Identification Division, and National Crime Information Center, as well as a broad range of training and other forms of assistance, which were extended in record numbers during FY 1971. Notable efforts were also undertaken during the year to improve and strengthen this vital area of FBI operations.

Full professionalization of American law enforcement is a continual, prime goal of the FBI, and during FY 1971 extensive police training aid was extended by the Bureau to requesting agencies at all levels of government.

Experienced and highly qualified FBI instructors afforded needed training assistance in 9,110 law enforcement training schools throughout the country. In connection with these schools, attended by 311,210 police officers, FBI personnel contributed a total of 83,695 hours of instruction. Training dealing with such important and timely subject areas as Extremists and Violence, Bombing Complaints and Investigations, Functions of an Anti-Sniper Squad, Search and Seizure, Police-Community Relations, Organized Crime, and Criminology from the Police Perspective was provided.

**Bombs.** Bombings and Bomb Threats were the topics of 277 law enforcement conferences held by the FBI during the fiscal period. Attended by 33,730 representatives of some 8,305 different agencies, these conferences sought to promote a better understanding of this growing menace and to aid law enforcement in countering these acts. In addition, the seriousness of this problem area led the FBI to conduct specialized in-service training to insure that each Bureau Field Office would be able to provide local peace officers adequate instructional assistance in such matters.

**Slaying of policemen.** At the request of President Nixon,

**Bombs.** In carrying out the FBI's extensive internal





the President's request, 100 chiefs of police, sheriffs, and other police officials representing every State later met for 2 days at the FBI to discuss the problem and determine what could be done to prevent these acts.

**FBI National Academy.** During FY 1971, 200 law enforcement officers attended the 86th and 87th Sessions of the FBI National Academy, often termed the "West Point of Law Enforcement." With their graduation, the total number of graduates of the FBI National Academy swelled to 5,934. National Academy training consists of an intensive 12-week course designed to prepare experienced police officers for high administrative and instructional responsibilities. Indicative of the efficacy of this training is the fact that of the 3,175 graduates still active in law enforcement in June 1971, nearly 28 percent were executive heads of their departments.

**Retraining.** Also during the fiscal year, a National Academy Regional Retraining Session, attended by 286 graduates, was held at Portsmouth, N.H. Numerous State National Academy Retraining Sessions were also organized and conducted by active National Academy graduates.

**New academy.** Construction of the new FBI Academy complex at Quantico, Va., progressed rapidly during FY 1971. Nine of the projected 11 buildings that will compose this modern law enforcement instructional institution neared completion, and these nine are expected to be finished by spring 1972. This new facility will permit a major expansion of the National Academy program, allowing some 2,000 officers to attend yearly, and will accommodate many specialized police training schools of shorter duration.

## FBI Laboratory

As the finest criminological laboratory of its kind, the FBI Laboratory provides essential support to all levels of law enforcement without cost. Evidence is submitted to the Laboratory for examination with the understanding that it relates to an official investigation of a criminal matter and that the Laboratory's findings will be used only in connection with this purpose. This assistance extends to providing the experts needed to testify in criminal prosecutions as to the results of their examinations.

**Examinations.** With the conclusion of FY 1971, the FBI Laboratory had conducted 462,595 examinations of some 291,008 specimens of evidence submitted during the period—a record high and an increase of 20 percent over the previous year. Of the total number of examinations performed, 151,273—or about one-third—were for other Federal, State, and local agencies. In connection with their work, Laboratory experts testified in court in 842 cases.

A breakdown of the total number of examinations performed discloses that 257,493 concerned document, photographic, and shoe and tire print matters; 101,730 involved physics and chemistry; 102,383 were in the translation and related fields; and 989 pertained to radio engineering.

**Organized crime evidence.** The enormous range of scientific skills found in the FBI Laboratory enables it to handle varied and highly complex requests. For example, a singular expertise in certain technical aspects of gambling operations has made the Laboratory an invaluable asset in investigating this phase of organized criminal activity. This capacity includes decrypting records, employing codes, and ciphers; reconstructing partially burned or mutilated writings; determining a common origin of printed gambling materials; and identifying specialty papers used by bookmakers and numbers writers. In addition, the Laboratory has the ability to analyze statistically the operations of complex gambling devices and to detect alterations made to gambling paraphernalia.

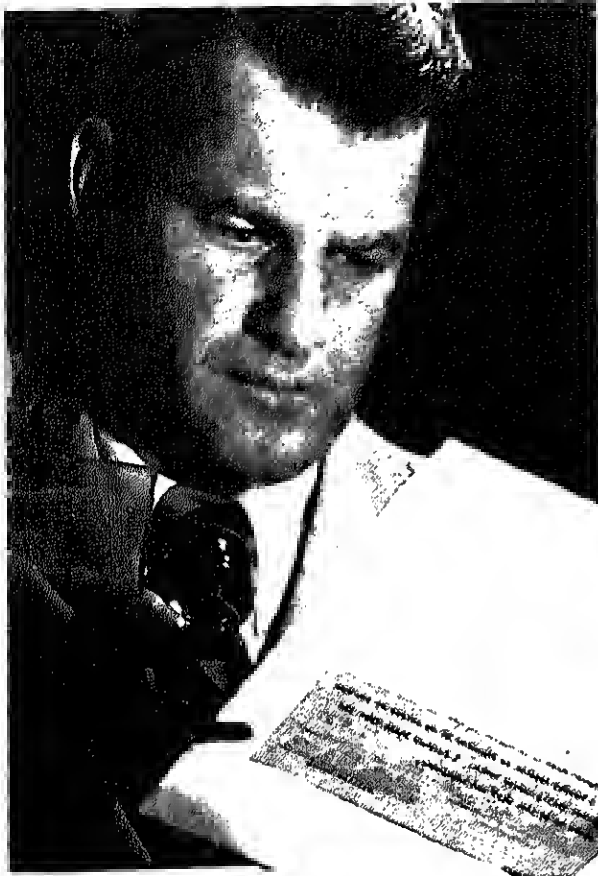
**Check file.** Among the many outstanding facilities maintained by the FBI Laboratory is the National Fraudulent Check File, a central repository for fraudulent checks passed in the United States, which is used to identify check passers and coordinate information pertaining to them. During the fiscal year, 56,286 items were searched through this file with resultant identifications totaling 24,891. A related program, developed in recent years by the Laboratory and termed PROCHECK, is designed automatically to identify professional check artists on the basis of computerized data concerning them.

## Identification Division

As a major service function, the FBI gathers, maintains, classifies, and preserves identification data received from cities, States, penal institutions, Federal agencies, and private citizens. Information from the identification records is furnished to law enforcement and government agencies at the Federal, State, and local levels for official use only.

During FY 1971, the Identification Division of the FBI received some 6,710,518 sets of fingerprints, bringing the total number of fingerprint cards on hand to 201,315,031.

Of the cards received during this period, 3,440,613 criminal fingerprint cards were processed with the result that 2,444,860 identifications were made with prior records and 41,983 fugitives were identified—an increase of 4,337 over the number of fugitives so identified during the previous fiscal period. The vast majority of this work (over 90 percent) was handled for State and local law



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The Uniform Crime Reporting Program, which has been administered by the FBI since 1930, collects, analyzes, and publishes crime figures for the United States. This information is published by the FBI in the form of four quarterly reports to demonstrate current crime trends as well as in a comprehensive annual report.

These compilations are the only nationwide measure of the volume of crime and types of criminal behavior and are used by officials at all levels of government, Members of Congress, law enforcement administrators, sociologists, penologists, judges, students, and others concerned with the crime problem and the administration of justice.

New programs are under way in a number of States whereby data are being collected at the State level and furnished the FBI at this level rather than direct from all local agencies. This will streamline the program and provide a better quality product. With the assistance of the FBI, other States are working to implement such programs.

**Other publications.** In addition to these crime reports, the FBI publishes for the benefit of the law enforcement community other information and authoritative data. Among the most important publications of this type is the *FBI Law Enforcement Bulletin*, which is widely disseminated to police officers.

## National Crime Information Center

The FBI's National Crime Information Center, a computerized information system for local, State, and Federal criminal justice agencies, is linked by leased communications lines to terminal devices, including other computers, in law enforcement agencies in all 50 States, the District of Columbia, and Royal Canadian Mounted Police Headquarters, Ottawa, Canada.

The system stores data concerning stolen property and persons wanted for the commission of serious crimes entered by the various participating agencies. These data are available for immediate retrieval through any terminal device tied into the system.

The National Crime Information Center has been operational since January 1967, and at the close of FY 1971, the total number of records stored in the Center's files reached 2,799,000, marking a better than 38 percent increase over the previous fiscal year. During June 1971, transactions on the system totaled 2,002,000 with a daily average of 67,000 as compared with a daily average of 53,000 in June 1970.

"Hits," or positive responses to inquiries, averaged about 600 daily during June 1971. These positive responses resulted in the recovery of stolen property and the apprehension of wanted felons, in many cases far removed from the location where the theft occurred or the warrant was issued.

**Criminal histories.** Under development for inclusion in the National Crime Information Center is a file of criminal histories for use by courts, corrections officers, and

the same level. This index will efficiently and effectively coordinate exchange of criminal history among State and Federal jurisdictions.

General policy as to system operations is established by the FBI upon recommendations from an Advisory Policy Board composed of law enforcement administrators from throughout the country. The rapid development of these systems and the dynamic growth of the National Crime Information Center's network represent one

principal Federal agency charged with law enforcement responsibility in the field of narcotics and dangerous drug abuse.

The Bureau operates worldwide to suppress international narcotics traffic. It maintains agent forces in 4 States and in 31 foreign countries. These agents work closely with local enforcement personnel both in the United States and overseas.

The Bureau also has programs to aid State, local, and



FBI trainees examine a car for fingerprints.

Engineering model of fingerprint scanner developed for the FBI.



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## BNDD

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dangerous drugs in the United States, BNDD maintains a well-established regional network of enforcement and support personnel in the United States and overseas.

The network extends over 61 cities in 40 States in the United States and 44 cities in 31 foreign countries. Congressional approval of resource increases over the past 3 years has enabled BNDD to establish this worldwide enforcement organization with an authorized strength of 1,334 agents.

During FY 1971, Bureau agents removed 2,915.5 pounds of heroin and morphine base from the illicit market, and made 2,212 arrests. In FY 1970, 1,311.9 pounds were seized and 1,660 arrests were made. In FY 1969, 707.9 pounds were seized and 2,265 arrests were effected.

## Domestic Enforcement Efforts

Utilizing all available sources of information, BNDD has identified 10 major systems in the illicit drug traffic affecting the United States. Individuals in these organizations are targeted for investigation according to their importance.

During the course of an investigation of a major system, intelligence will usually reveal a particularly vulnerable spot for penetration of the overall system. Usually, a particular type of investigative technique or procedure is determined to be most appropriate. Such an approach is identified as an "Operation."

One of the most successful of these investigative techniques is the mobile task force, which enables the Bureau to send agent personnel to any area as needed.

In the following examples, two of these major narcotic systems are discussed and the application of Operations and mobile task forces is shown.

**Operation Flanker.** The majority of targets in System No. 4 are organized crime figures in the New York metropolitan area who obtain European heroin in 100 to 200 pound lots from both European and Canadian sources. The drugs are distributed in pound quantities to wholesalers in New York who in turn supply traffickers throughout the Nation.

Operation Flanker was initiated primarily for the purpose of immobilizing sources of supply in System No. 4. It involved subjects in Hartford, New York, Philadelphia, Baltimore, Detroit, Chicago, and New Orleans. The operation penetrated a number of organized crime syndicates at a high level.

Through Operation Spearhead in Detroit, a sub-part of Operation Flanker, BNDD undercover agents made purchases from a large syndicate of traffickers with New York sources of supply. An undercover agent was also accepted

weapons and \$151,750 in cash. Operation Clipper was a task force designed to obtain maximum intelligence data and to prosecute evidence related to Operation Flanker. The head of a New York City organized crime group was arrested pursuant to information developed through this BNDD operation.

**Operation Beacon.** Major System No. 7 covers individuals involved in the illicit manufacture and distribution of dangerous drugs, and is worldwide in scope. The bulk of enforcement action occurred in the San Francisco Bay area, which is the source for most of the hallucinogenic drugs in the world. This system consists of small groups and freelance traffickers manufacturing and distributing huge amounts of dangerous drugs. Since the San Francisco area was designated a major system in November 1969, 400 such individuals have been identified and more than 70 percent of these individuals have been immobilized.

Operation Beacon was designed to immobilize clandestine laboratories and significant dangerous drug traffickers. Investigative techniques such as purchase of evidence, surveillance, the use of court-approved title III wire intercepts, and a mobile task force accounted for the success of the operation.

Twenty-one clandestine drug laboratories were seized and 414 defendants have been arrested. Charges are pending against an additional 62 defendants. Also seized were 8,100,000 dosage units of controlled drugs valued at \$1,250,000, 23 weapons, 28 vehicles, \$13,540, and laboratory equipment valued at \$165,000.

Within Operation Beacon, one investigation should be singled out. The Joe Gray Machine Company-Vortex Laboratories investigation revealed that approximately 18 individuals were utilizing two apparently legitimate firms as fronts for the illegal manufacture and tableting of hundreds of thousands of dosage units of hallucinogenic drugs per week. Successful completion of this investigation resulted in the removal of more than 1,200,000 dosage units of hallucinogenic drugs, two sophisticated hallucinogenic drug laboratories, and three tableting machines, and the arrest of 18 high-echelon drug traffickers.

**Operation Seaboard.** Operation Seaboard is an intensification of existing heroin enforcement programs employing specialized task forces concentrated on the east coast of the United States.

This concentrated effort against heroin traffickers is producing measurable results, especially in terms of the quantity of drugs removed from the market and the number of defendants arrested. This operation has had a significant impact on the availability of heroin on the eastern seaboard. More than 1,200 defendants were arrested and over 350 pounds of heroin were seized during this operation.

**Wire intercepts.** During FY 1971, BNDD used 31 court-authorized title III wire intercepts to develop evidence of drug trafficking among those evading conventional enforcement efforts. One hundred and twenty-four arrests were made for various Federal drug law violations

**Organized crime strike forces.** BNDD has a total of 20 special agents assigned to the Department of Justice strike forces in 18 cities.

The Bureau has received narcotic intelligence information from confidential sources of other participating agencies, and BNDD has made available to other enforcement agencies intelligence on matters outside its jurisdiction. BNDD has utilized the expertise of the strike force attorneys for initiating court-approved electronic surveillance, and any portion of admissible intelligence not related to BNDD enforcement efforts has been disseminated to the appropriate agencies. The effectiveness of such exchanges by BNDD strike force representatives was typified when, on April 29, 1971, a BNDD agent, together with Secret Service agents and Postal Inspectors, arrested four individuals for possession of and conspiracy to sell stolen securities in interstate transportation. Seized at the time of the arrests were four \$100,000 negotiable Treasury notes. The notes were part of a \$13,000,000 theft from the Morgan Trust Company in New York City in October 1969.

In another case, information developed by the Los Angeles BNDD strike force representative resulted in a seizure by Mexican Federal Police of a twin-engine aircraft transporting 10 rifles, pistols, guns, and one anti-tank cannon from California to Culiacan, Mexico. Ten thousand dollars in cash was seized when the crew of two was arrested. The aircraft was being utilized to transport arms and cash to Mexico in exchange for ton quantities of marijuana that were to be smuggled into the United States. The pilot and a second person arrested by Mexican authorities face prosecution for violation of subversion and insurrection laws in Mexico.

## Foreign Enforcement Efforts

BNDD tripled its activities directed against foreign drug operations in FY 1971. To effectively attack the major systems, it was determined that increased enforcement activity was needed in foreign countries to intercept drugs before they reach U.S. borders. Foreign seizures of heroin in FY 1971 totaled 487.9 pounds. Overseas forces now total 61 agents. The effects of this policy are reflected in the following examples:

**Operation Condor.** Operation Condor is an international attack on major systems. The heart of Operation Condor is in South America, but its sphere of influence includes Central America, Europe, Southeast Asia, and the East Indies.

The individuals targeted in Operation Condor include those primarily engaged in the manufacture, smuggling, and distribution of cocaine and, to a lesser extent, Asian heroin.

A major problem faced by Operation Condor is that of maintaining control of foreign nationals released on bond. Many of the major violators arrested in this operation have been able to secure release from custody through the posting of cash bonds amounting to hun-

dreds of thousands of dollars. Once released on bond, the defendants flee the jurisdiction of the United States and resume activities in the international traffic.

As a result of Operation Condor, seven defendants were arrested by BNDD agents and convicted and sentenced in the Southern District of Florida for the illegal importation into the United States of approximately 44 pounds of heroin. Sentences totaled 145 years and the fines amounted to \$95,000.

**Other foreign investigations.** Other examples of cases involving BNDD operations in foreign countries include the following:

(1) The BNDD Paris Region received information that a major system subject was traveling from Brussels, Belgium, to New York, N.Y. The Bureau of Customs was notified and the subject was arrested in the United States. An automobile shipped from Europe was seized containing 180 pounds of heroin. Just prior to that seizure, BNDD notified the Bureau of Customs of the expected arrival of a shipment of heroin concealed in a second car. On arrival, it cleared customs and was seized in New York by BNDD and Customs agents. It contained 200 pounds of heroin. The subject arrested when the first car was seized was found to be the person responsible for shipping the second. Five people arrested in this investigation were identified in two major systems.

(2) BNDD determined that French traffickers were driving automobiles to Spain and then shipping them to Mexico where they were driven to the United States. BNDD agents in the newly established office in Madrid, Spain, learned that two major systems subjects removed an automobile from the S.S. *Virginia* after receiving a message, "Son is ill." BNDD agents in cooperation with the Spanish police, traced the automobile to Valencia, Spain, where on June 3, 1971, the two subjects were arrested and 248 pounds of heroin destined for New York were seized.

(3) Information furnished to the new BNDD office in Frankfurt, Germany, by the BNDD Paris Office resulted in the arrest of a Turkish citizen and an Iranian citizen who were found in possession of 198 pounds of morphine base on June 17, 1971. An agent of the Frankfurt District Office assisted German police in the arrest and seizures.

(4) BNDD agents in Bangkok, Thailand, working with the Thai Central Narcotics Bureau developed information of a heroin network from Thailand to Vietnam. Through the BNDD office in Saigon, BNDD agents from Bangkok and the Thai and Vietnamese police arrested 45 defendants in Vietnam and seized 90 pounds of heroin and 586



ternational Airport in Panama was arrested by Canal Zone police on a warrant requested by BNDD and issued by the U.S. district court in Dallas, Tex. This violator, who was responsible for assisting traffickers in sending more than 1,000 pounds of heroin and cocaine to the United States via Panama, was charged with conspiracy to sell cocaine and conspiracy to smuggle cocaine. A Dallas jury found the violator guilty. He was sentenced to serve 5 years.

(7) BNDD agents in Chula Vista, Calif., seized 19 kilograms of cocaine and arrested four defendants. As a followup, Mexican authorities seized an additional kilogram of cocaine and arrested one Mexican and three South American traffickers.

(8) Based on information provided by BNDD, Mexican authorities in Vera Cruz seized 5 kilograms of cocaine and arrested one Mexican and four Chilean traffickers. One of the defendants cooperated and an additional 7.75 kilograms of cocaine hidden aboard the Chilean vessel *Lebu* was seized. The vessel was subsequently impounded by Mexican authorities.

(9) New York BNDD agents arrested two defendants and seized 2½ kilograms of cocaine. The cocaine had been hidden in specially built hollow-core tables manufactured in Chile.

## Drug Regulation and Inspection

Under the Comprehensive Drug Abuse Prevention and Control Act of 1970, the Bureau is charged with a much broader regulatory responsibility. As of May 1, 1971, BNDD assumed the responsibility formerly under the Internal Revenue Service (IRS) and the Food and Drug Administration for annually registering an estimated 500,000 drug handlers. The new law also requires a scheduled inspection program of approximately 5,000 manufacturers and distributors to insure that these handlers meet and continue to comply with registration qualifications.

To support the registration requirements of the Controlled Substances Act of 1970 and to meet the implementation date established by the Congress, a computer system was designed, developed, and operating within a 5-month period. Beginning with more than 423,000 typed documents supplied by IRS, more than 2,000,000 punched cards were created, edited, and corrected to establish the beginning data base. This required the use of commercial contractors in addition to BNDD personnel in order to meet the required implementation date. Schedule I and II order form books are being issued at a rate 33 percent higher than the previous rate reported by IRS. In addition to these activities, BNDD assists State regulatory agencies in establishing files of registrants in their jurisdiction by providing registrant data in machine-compatible form without charge. State regulatory agencies are using the data to develop their own drug control programs.

During FY 1971, BNDD entered into two additional Federal-State agreements including the District of Columbia and renegotiated five agreements delineating respec-

tive regulatory responsibilities and setting forth cooperative working arrangements. This brings the total of such agreements to 45. Under this program BNDD furnished 1,630 leads to State regulatory agencies.

**Investigations.** The Bureau conducted 562 investigations in FY 1971, which resulted in drug seizures from 136 legitimate handlers, the arrest of 64 violators, the conviction of 27 violators, and 65 voluntary surrenders of narcotic tax stamps or narcotics and other drugs.

Examples of significant investigations of legitimate drug handlers include the following:

(1) The president/pharmacist of a pharmacy in Clayton, Mo., was arrested subsequent to the illegal sale of over 45 grams of d-amphetamine powder and 1,000 d-amphetamine tablets.

At the time of his arrest he delivered an additional 6.5 ounces of the d-amphetamine powder, 1 ounce of methamphetamine powder, and 2,000 Desoxyn tablets. The pharmacist had been operating out of his home after obtaining the drugs from his pharmacy. A search resulted in the additional seizure of 27,000 assorted amphetamines, barbiturates, and combination drugs. In addition, he surrendered his narcotic tax stamp and his stock of narcotic drugs at the pharmacy.

The following day, IRS closed the pharmacy for non-payment of withholding tax for store employees, and stocks were seized to satisfy the IRS lien.

The pharmacist was sentenced to terms of 5 years on each of three counts of an indictment charging illegal sales of dangerous drugs. These terms were to be served consecutively for a total of 15 years. In addition, he was fined \$10,000 on each of the three counts.

(2) During an in-depth compliance investigation of a pharmacy in Compton, Calif., BNDD agents said that the owner/pharmacist offered a \$5,000 bribe to a special agent. When agents returned to complete the investigation, they said that the pharmacist raised the bribe to \$10,000. Subsequent to this offer, he allegedly gave agents \$300, after which an arrest warrant was issued by the United States Commissioner. The pharmacist was arrested by BNDD agents after allegedly paying them the remainder of the bribe. After an additional in-depth accountability investigation which revealed serious deficiencies in the records of the firm, BNDD agents again arrested the pharmacist and made an executive seizure of all controlled drugs and narcotics.

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A drug identification course conducted by the Bureau of Narcotics and Dangerous Drugs at its Washington, D.C., headquarters.



**Agent Training Program.** The Agent Training Program is an intensive 10-week course for new Special Agents. The academic program covers all elements of the Special Agent's duties and is reinforced by the continuous series of practical field exercises in undercover surveillance and raid techniques. New agents are also exposed during this program to a rigorous physical conditioning, self-defense, and firearms training. The program is designed to prepare the agent both physically and mentally for duties he will perform in the field. Ninety agents were trained in FY 1969, 204 in FY 1970, and 369 in FY 1971. Seven schools were conducted in FY 1972 training a total of 299 agents.

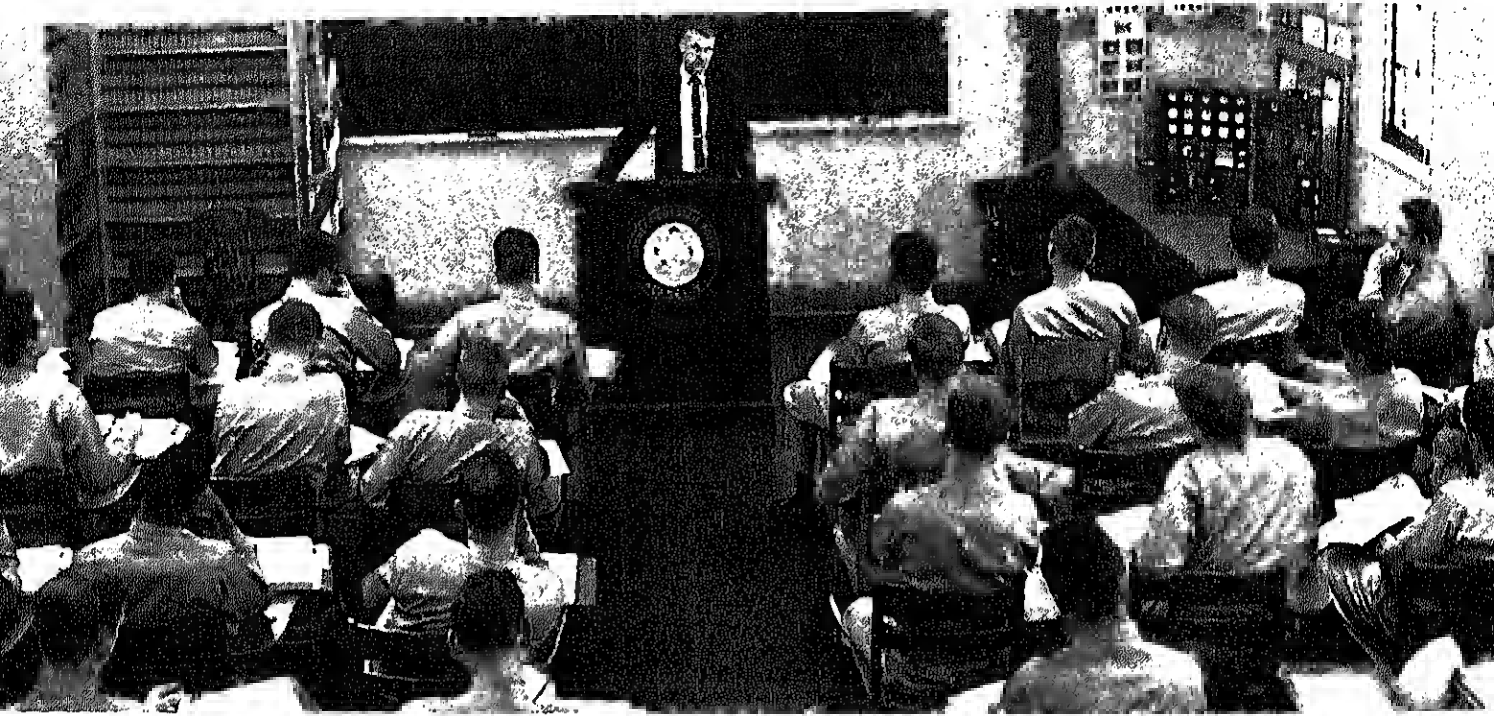
ployees participated in other Bureau training programs; in FY 1970, 256; in FY 1971, 456. This number was increased to 494 in FY 1972. In addition, the In-Service Training Program provides a total of 80 hours of instruction per year to all field personnel.

## **BNDD Assistance Activities**

BNDD is the Federal agency with primary responsibility for supporting State and local agencies in drug training, drug laboratory support, drug law enforcement operations, and drug abuse prevention programs.



Joint Task Forces. When a jurisdiction has a drug problem that is beyond its capability, it can request assistance from the Bureau. BNDD renders direct support to State and local counterparts by creating a Joint Task Force, which is an amalgamation of Bureau, State, and local agents, under the control of a central headquarters operating independently from State and local agencies. Through



A seminar conducted by the Bureau of Narcotics and Dangerous Drugs for Connecticut State Police.

## Enforcement Aid

The statute giving BNDD authority to aid State and local enforcement agencies in enforcement matters is P.L. 89-74, enacted February 1, 1966. This law established operational procedure for the Bureau of Drug Abuse Control (BDAC). Under Reorganization Plan No. 1 of 1968, the functions of BDAC were transferred to the new BNDD. Specifically, the Enforcement Division of the Bureau was asked to "participate in criminal investigations with State and local officers . . . Develop and coordinate programs with participating States to ensure compliance with drug laws at the retail pharmacy level."

The area of enforcement aid was reasserted in 1970 by the adoption of P.L. 91-513, wherein the Attorney General is directed to "cooperate with local, State, and Federal agencies concerning traffic in controlled substances. To this end, he is authorized to . . . cooperate in the institution and prosecution of cases in the United States and before the licensing board of several States."

The provisions of 21 U.S.C. 198 established the authority for the old Federal Bureau of Narcotics (FBN) to cooperate with State and local agencies in the enforcement of drug violations. These functions were also transferred

this organization, local participating agents are provided with technological, procedural, and scientific assistance from the Bureau.

Such a Joint Task Force was established in New York City in February 1970. By the end of FY 1972, it is projected that the force will consist of 48 BNDD agents, 16 State police, and 108 local police. During FY 1971, the New York Joint Task Force made 328 arrests and is considered a highly effective enforcement tool.

**Metropolitan Enforcement Groups.** Another effective program available to local enforcement agencies is the Metropolitan Enforcement Group (MEG), a concept devised in 1969 by BNDD and the Law Enforcement Assistance Administration. MEG units consist of local law enforcement officers and BNDD agents from the local districts. MEG units detect, investigate, and apprehend narcotic and dangerous drug traffickers within metropolitan areas. The MEG concept recognizes the mobility of the drug trafficker and envisions increased cooperative enforcement efforts between jurisdictions as a counter to this mobility. BNDD assistance is the catalyst for this cooperation. The MEGs are funded through LEAA discretionary funds.

The metropolitan area encompassing Reading, Pa., showed a 14-percent decrease in overall crime by the close of FY 1970 after the local MEG unit had been in operation for only 2 months. Although detailed statistical data are lacking, a decrease in overall heroin traffic and abuse was reported.

A Cleveland, Ohio, MEG, consisting of the Cleveland Police Department, Western Suburban Enforcement Bureau, and BNDD agents of the Cleveland District Office, ended an undercover investigation which lasted several months. Early in July 1971, more than 50 persons were arrested as a result of this action.

During April 1971, the Atlanta, Ga., MEG, assisted by the BNDD Atlanta District Office, completed 61 cases, 20 for narcotics violations and 41 for dangerous drug violations.

The Savannah, Ga., MEG, also aided by the BNDD Atlanta District Office, made 17 arrests for possession and sale of narcotics and dangerous drugs in April 1971. In addition, a major drug theft operation was smashed, three persons arrested, and \$12,000 worth of narcotics and dangerous drugs seized.

Tri-County Regional Narcotics Unit, the Portland, Oreg., MEG, conducted its first major round-up in late June. Twenty persons were arrested and 100 pounds of marijuana and quantities of other narcotics and dangerous drugs were seized.

**Direct assistance.** Direct BNDD assistance to local jurisdictions at the agent level is another form of enforcement aid. Agent assistance is often provided in intelligence operations, such as surveillance and preliminary investigations. BNDD agents also aid in overall planning and act as observers. Through BNDD cooperation with State and local agencies, 1,713 arrests were made in FY 69, 900 in FY 1970, and 2,247 in FY 1971. In 1971 local agencies made 4,991 requests for assistance; BNDD responded to 3,091 of these. The results of this close cooperation are encouraging. Following are a few case histories that point out different types of aid and the success achieved by this program:

In the Boston Region during June 1971, cooperative efforts resulted in the seizure of 14 pounds of marijuana, more than 100 pounds of marijuana, and the arrest of six defendants.

In July 1971, the Santa Ana, Calif., Police Department requested assistance in the arrest of persons who would be picking up two trunks of marijuana at the local Railway Express Office. As a result, three persons were arrested and 350 pounds of marijuana were seized. BNDD agents and officers from the Santa Ana Police Department made the arrests and seizures.

Montgomery County, Md., police requested aid in investigating the reason for increasing seizures of DMT in the area. With agent aid from BNDD, a clandestine DMT laboratory was uncovered and three persons arrested.

In Cincinnati, Ohio, local police with BNDD agent aid arrested four persons and shut down a clandestine laboratory producing methamphetamine; the equip-

ment was valued at \$3,000. Seized with the defendants were a kilo of marijuana and a gallon of phenobarbital elixir.

- ☐ Late in 1970, BNDD agents working with St. James, Minn., policemen seized 970 pounds of marijuana and arrested two persons. One of the few marijuana-to-hashish conversion laboratories ever found in the United States was discovered as well.

## State and Local Training

The problem of providing specialized narcotic and dangerous drug law enforcement training for State and local enforcement officers has been of great concern to the Bureau from its inception. Reorganization Plan No. 1 of 1968, which created BNDD, stated that "the new BNDD, to be headed by a director appointed by the Attorney General, will . . . work with State and local governments in their crack-down on illegal trade in drugs and narcotics and help to train local agents and investigators."

This statutory authority was reasserted in P.L. 91-513 (October 27, 1970) which stated that "the Attorney General shall cooperate with local, State, and Federal agencies concerning traffic in controlled substances and in suppressing the abuse of controlled substances. To this end, he is authorized to . . . conduct training programs on controlled substance law enforcement for State, local, and Federal personnel."

To carry out the responsibility of providing State and local training, BNDD established several basic programs. The programs offered include a 10-week Police Training Institute conducted at the National Training Institute, a 2-week Law Enforcement Training School conducted at the National Training Institute and in locations throughout the United States, a Forensic Chemists School conducted at the National Training Institute, and workshops for College Administrators conducted in Washington, D.C., and more recently in field locations throughout the United States. The Bureau also provides assistance to foreign law enforcement officials by conducting international training programs. A description of each of these programs follows.

**Ten-week training program.** In FY 1971, the 10-week Police Training Institute was introduced. This academy-like program provides foreign, State, county, and city drug enforcement officers with intensive training similar to that received by BNDD criminal investigator personnel. Seventy officers graduated from this program in FY 1971, and 71 officers participated in FY 1972.

**Two-week training program.** The 2-week Law Enforcement Training School was originally conducted in Wash-



Chemists from State and local agencies receive specialized training in a forensic chemist seminar conducted by the Bureau of Narcotics and Dangerous Drugs.

ington, D.C.; however, through the development of mobile training teams and by providing training to regional training personnel, BNDD has been able to provide this training not only in Washington, D.C., but in locations throughout the United States. In FY 1969, 1,354 police officers graduated from this program; in FY 1970, 1,490; in FY 1971, 3,275; and in FY 1972, 3,941 officers participated in a total of 55 programs.

**Other State and local programs.** In FY 1969, 215 law enforcement personnel participated in other State and local training programs conducted by the National Training Institute; in FY 1970, this number increased to 1,788; in FY 1971, the number again increased to 8,718; in FY 1972 a total of 99 persons participated in these programs. In addition, field personnel have participated in training seminars for more than 200,000 people in sessions and seminars since FY 1969.

**International training assistance.** Beginning with FY 1971, BNDD expanded the scope and direction of its international training program. Recognizing the importance of gaining and maintaining the allegiance of foreign law enforcement officials in United States efforts to interdict international drug trafficking, BNDD intensified its international training activities. Traditionally, BNDD had participated in international enforcement seminars, allowed foreign personnel to participate in domestic training programs and conducted annual schools for Latin American police officials in Washington, D.C.

In FY 1971, BNDD's National Training Institute initiated specialized schools, designed for and conducted in foreign countries. During that fiscal year, BNDD conducted programs in Australia, Canada, Luxembourg, and Mexico. The 2-week programs in Canada and Mexico, which trained the Royal Canadian Mounted Police and the Federal Judicial Police, respectively, were especially successful.

In FY 1972, this effort was intensified. Schools were conducted in the Panama Canal Zone; Saigon, Vietnam; Panama City, Panama; Dublin, Ireland; Washington, D.C.; Banff, Canada; Mexico City, Mexico; Rome, Italy; Santiago, Chile; Lima, Peru; Republic of Singapore; Buenos Aires, Argentina; Vienna, Austria; and Manila, the Philippines. Most recently the programs have been modified to include intensive and realistic practical exercises utilizing the most advanced technical equipment and techniques available to reinforce classroom instruction in sophisticated drug enforcement techniques.

These programs have not only increased the effectiveness of BNDD's international mission by developing an extremely close working relationship among the more than 1,500 foreign participants and BNDD officials, but have also proven to have the potential to be the single most important factor in the interdiction of international drug traffic by foreign law enforcement agencies.

## Laboratory Support

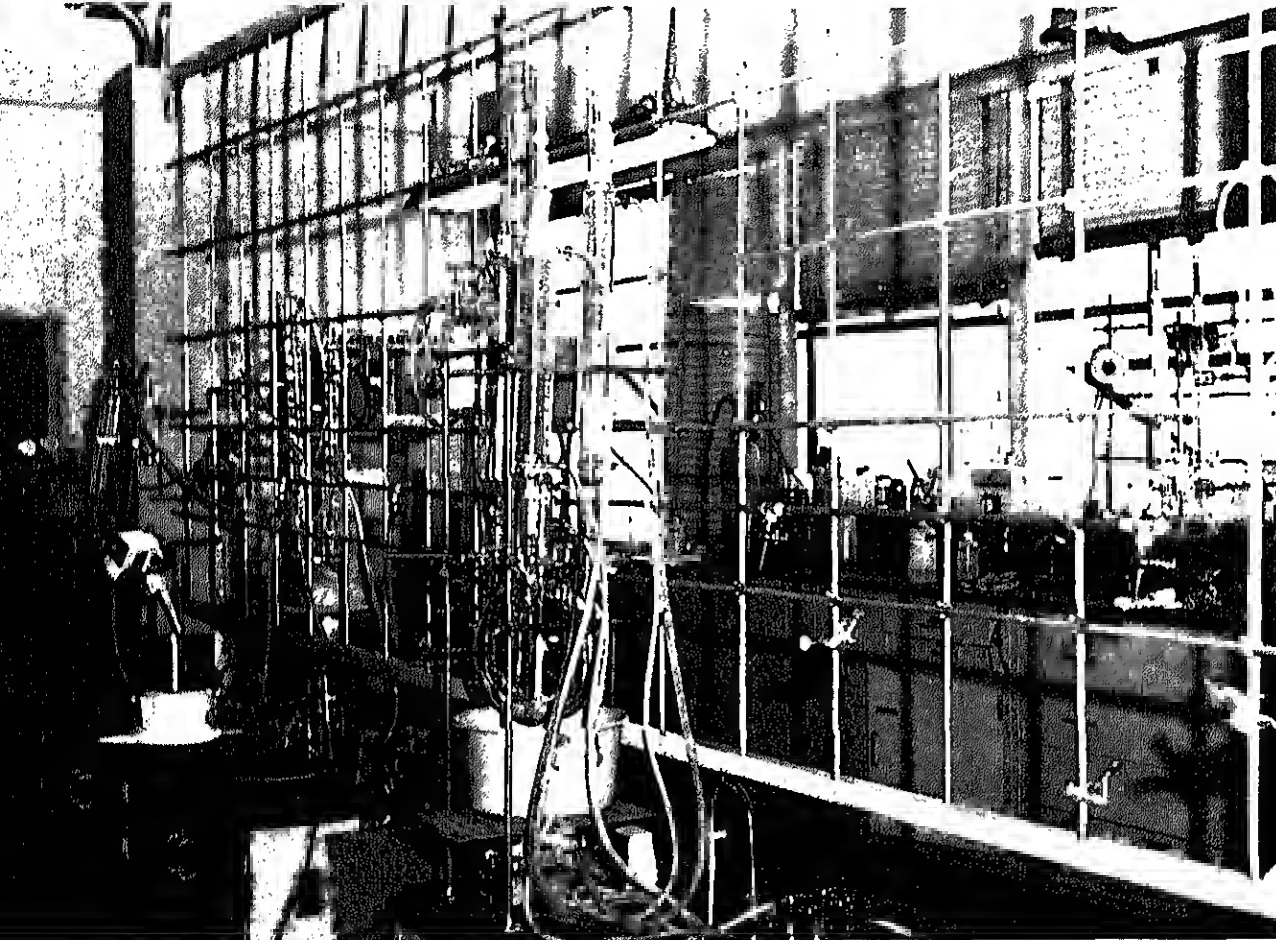
More physical evidence is collected in drug-involved criminal cases than in any other type. During FY 1971, for instance, nearly 29,000 exhibits of drug evidence were analyzed by BNDD laboratories—each requiring at least two, and usually three or more scientific procedures to determine identity and desired information. More than 100,000 examinations were conducted last year in BNDD laboratories.

To handle this workload, BNDD operates regional laboratories in New York, N.Y.; the District of Columbia; Chicago, Ill.; Dallas, Tex.; San Francisco, Calif.; and Miami, Fla. The Bureau also runs the Special Testing and Research Laboratory in Washington, D.C.

Methods used in the laboratory range from the classic color tests and melting or freezing point determinations, to the use of highly sophisticated instruments which measure light absorption.

ties to State and local crime laboratories when unusual problems arise.

**Special Testing and Research Laboratory.** Special analytical problems encountered by the regional laboratories, well as those of other Federal, State, foreign, or local laboratories, are handled by the BNDD Special Testing Research Laboratory in Washington, D.C. In this laboratory, problem evidence and new compounds are identified and characterized, and methods of analysis are



laboratories of the Bureau of Narcotics and Dangerous Drugs provide technical support for State and local law enforcement officials.

developed. Special studies are also conducted to solve particular enforcement problems involving drug evidence, "ballistics" examinations of drug tablets are performed.

The laboratory also supplies reference materials and provides forensic training for BNDD and other agencies at the Federal, State, and local levels, as well as furnishing full analytic support to BNDD foreign offices. Unlike evidence handled by the regional laboratories, the analysis of this foreign evidence is usually required in court. Meticulous examination of the material is nevertheless essential because the information is for intelligence purposes.

The Special Testing and Research Laboratory has sophisticated instruments which enable it to handle complex analytical problems. New and esoteric drugs and plant materials, as well as new combinations of previously identified compounds, are regularly referred to it by the other laboratories.

The laboratory also has an important ballistics function. It maintains the world's most extensive library of dosage forms of controlled drugs, comprising about 7,000 different items, which it uses in ballistics comparison with drugs in the illicit market. Examination of characteristics of dosage forms enables the laboratory to trace various exhibits to a common source—either a known manufacturer or a clandestine operation. The laboratory provides this service on an international scale.

As a service to crime laboratories throughout the world, the laboratory provides reference material on hard to

Testing and Research Laboratory staff are regularly called upon to provide training for both BNDD and other forensic chemists. The staff develops curricula and participates in Forensic Chemists Schools held at the BNDD National Training Institute. Staff members are sought as participants in a number of training programs, symposiums, and seminars. BNDD conducted three Forensic Chemist Seminars in FY 1969 with 57 students, five seminars in



Laboratory identification of drugs is accomplished by X-ray diffraction in which the crystalline structure of a drug is matched to a known pattern.

FY 1970 with 50 students, and five seminars in FY 1971 with 65 students.

**Reference samples.** The major problem facing law enforcement laboratories in FY 1969 and FY 1970 was obtaining samples of drugs being sold on the "street"—drugs such as LSD, PCP, STS, and others. BNDD sought a solution to this problem by broadening existing programs. Over 200 samples of known compounds—"references" or "standards"—were furnished domestic and foreign laboratories in FY 1969. In FY 1970, more than 500 reference samples were provided.

**Publications.** BNDD is responsible for publishing and distributing several publications. In 1967, BNDD started publishing a newsletter, *Microgram*, to alert forensic scientists to new substances as part of BNDD's "Early Warning" system. The newsletter is distributed to forensic science laboratories in law enforcement agencies throughout the United States and to more than 50 other countries. The distribution increased from approximately 500 addressees in FY 1969 to more than 1,000 in FY 1970.

### Drug Abuse Prevention Assistance

The Attorney General has the authority to implement drug abuse prevention programs in concert with enforcement activities (P.L. 91-513).

During FY 1971, the drug abuse prevention effort of

the Bureau concentrated on three major activities: the public inquiry and information program; the voluntary compliance program; and the community organizational program.

BNDD provides technical assistance in enforcement-related prevention programs through both its headquarters and regional offices. The Bureau also provides films, publications, and speakers. These prevention efforts involve many groups and organizations, and attempt to involve law enforcement agencies with other community organizations in order to establish prevention programs at the State and local level.

**Public inquiry activity.** BNDD participates in a 3-year national mass media advertising campaign, run in cooperation with the Department of Defense and the National Institute of Mental Health, and handled through the Advertising Council. The Bureau also provides information to the general public. This information deals primarily with cooperation between the community and enforcement groups, and with the role of the professional in drug-related and educational professions in prevention activities. To this end, the Bureau provides a wide range of materials.

**Voluntary compliance.** Through the voluntary compliance program, information on existing laws and regulations relating to controlled substances is distributed to regulated industries and involved professions. The program also encourages the implementation of preventive programs. The Bureau maintains liaison with professional associations, such as the American Pharmaceutical Association, and provides encouragement and assistance to the Pharmaceutical Manufacturers Association and individual manufacturers in the development of preventive materials, films, and publications.

**Community organization.** The Bureau has also established pilot community projects for drug prevention. These projects involve local leadership in a specific community in each of the Bureau's 13 domestic regions. The 13 pilot areas were selected for their diversity in size and type. The pilot areas ranged from a city the size of Omaha, Nebr., to the small town of Odessa, Tex.

**New approaches.** Innovative approaches to drug abuse prevention continued as contacts were established with organizations dealing with youth, the arts, business and labor, education, communication, religion, mass media and others. Any new information or concepts are promptly communicated to the appropriate Federal, State, or community organizations.

Numerous police programs throughout the country receive funding from the Law Enforcement Assistance Administration.







The Law Enforcement Assistance Administration (LEAA) provides financial and technical assistance to State and local governments to fight crime; and, under President Nixon's leadership, such assistance has grown to unprecedented levels.

Funds are used to attack every facet of crime with special emphasis placed on street crimes and burglaries and other crimes of violence.

Heavy emphasis also is given to crime prevention and the rehabilitation of offenders, especially juveniles; for reducing the number of crime repeaters is one key to reducing overall crime rates.

Priority is given to improving all aspects of the operations of police, courts, and corrections systems, as well as to the reduction of organized crime, juvenile delinquency, and civil disorders.

In seeking steadily growing budgets for LEAA, the President has said that the bulk of criminal justice responsibilities rests with States and localities, and the Federal Government must provide massive funding and unexcelled leadership to assist them.

When President Nixon assumed office, the budget for LEAA was \$63 million. He sought—and Congress approved—greatly increased amounts for the crime reduction programs of cities, counties, and States.

In FY 1970, the budget grew to \$268 million. In FY 1971, it rose to \$529 million. For FY 1972, it grew sharply again, to nearly \$700 million. And for FY 1973, it is \$850 million.

The leadership component of the Federal aid effort was demonstrated by a series of landmark conferences called at the President's direction for the Nation's top law enforcement and criminal justice officials.

The President convened meetings for police chiefs and sheriffs to devise more effective ways to combat the most serious types of crimes.

The National Conference on the Judiciary was created at the President's direction, and out of it grew a number of new programs to improve courts, and thus enhance the speed and fairness of trials.

For the first time in 100 years, a National Conference on Corrections was held to help implement the President's call for a massive overhaul of prisons and jails and the creation of effective rehabilitation programs.

All of these efforts were either carried out or planned in FY 1971, and all were supported with LEAA funds.

In July of 1972, it was announced that serious crimes had increased only 1 percent in the first quarter of the year—the smallest increase in 11 years—and that 80 major cities had actually reduced crimes.

"The right of all citizens to feel safe on the streets and secure in their homes is fundamental to individual liberty and national progress," the President commented. "It is a right on which this Administration has placed a new and major emphasis."

In listing a series of Federal initiatives relevant to the decreasing crime rate, the President cited this one first:

Los Angeles police officer prepares to go on patrol.



programs that might not be otherwise funded.

There are also special funds for corrections and rehabilitation programs.



Police helicopter operations in the District of Columbia receive funding from the Law Enforcement Assistance Administration.

LEAA conducts research and development to devise new operational techniques and equipment for law enforcement and criminal justice agencies.

Thousands of policemen and other criminal justice personnel attend college with the aid of LEAA funds to sharpen their skills and broaden the knowledge needed for better performance.

In FY 1971, the agency was reorganized and a fresh emphasis was placed upon crime reduction.

The reorganization led to creation of the new High Impact Anti-Crime Program, in which special funding of up to \$160 million will be placed in eight major cities during a 2-year period. The major goal is to reduce street crimes and burglaries in each city by 5 percent in 2 years and 20 percent in 5 years.

The cities are Newark, N.J.; Baltimore, Md.; Atlanta, Ga.; Cleveland, Ohio; Dallas, Tex.; St. Louis, Mo.; Denver, Colo.; and Portland, Oreg.

High Impact also will provide planning concepts—in a sense, blueprints—so that similar programs can easily be undertaken by other cities.

The High Impact program is one facet of the agency's new Crime Specific Planning concept—to make crime reduction the focus of every aspect of LEAA efforts.

In July 1972, Attorney General Kleindienst com-

mented on improving crime rates, and said of the LEAA program:

"We believe it has made and is making a recognizable impact on the improvement of criminal justice in this country. There are many at the other end of the State-local spectrum."

"The Chief:

us: "I want to not had assistance would be in be

"The Los Angeles the assistance Los Angeles is otherwise not

"The Police Mich., writes received from I more responsi

"The Police a noteworthy funded by your ability to achieve

Some LEAA instance, state equipment to tion for criminal juveniles.

Some LEAA-funded projects are region-wide: For instance, corrections centers for metropolitan areas, narcotics control and organized crime control enforcement, and intelligence units which encompass cities and counties.

Some LEAA-funded projects are statewide: For instance, new networks of halfway houses for juvenile and adult offenders, rehabilitation programs, State-organized crime control councils, and computerized dockets for courts have been initiated.

Some LEAA-funded projects embrace a number of States or are nationwide: For instance, Project SEARCH, a computerized system for interstate exchange of criminal history information, training programs for police in riot prevention and control, police training in dismantling explosives devices, and region-wide organized crime efforts are underway.

## A Sampling of State Programs

The largest part of the LEAA budget goes in block grants to States, and they in turn subgrant most of the funds to their cities and counties. Because thousands of LEAA-sponsored projects are underway, it is impossible, of course, to list them all. But the following section describes a sampling of projects in a few States.

States reported in FY 1971 that their common needs and most active areas of spending of LEAA funds included: Upgraded law enforcement, courts, and corrections personnel; new and improved communications systems; better community relations; more effective juvenile delinquency programs; and effective treatment and rehabilitation programs for narcotic addicts and chronic drug abusers.

Almost all States reported heavy usage of LEAA funds to support more effective police patrols. Patrol activities ranged from reconstituted foot patrols in one city to a new helicopter patrol in another.

The State Criminal Justice Planning Agencies (SPAs), which administer LEAA funds in each of the States and territories, also report they are giving increased emphasis to better training for criminal justice personnel in order to upgrade all aspects of law enforcement.

Recent activities of the SPAs disclose growing emphasis on enforcement participation in community programs aimed at rehabilitating rather than punishing offenders, educating rather than penalizing violence-prone juveniles and adults, and treating rather than penalizing those involved in drug abuse.

While the SPAs address problems in broad areas of law enforcement in many States, specific needs of local

LEAA funds to meet their law enforcement problems and reduce crime in their communities. These accounts are drawn from reports submitted by the SPAs themselves, and reflect the administration of LEAA funds at the State level.

In condensing these reports for this chapter, certain of the State reports were written to place special emphasis on their police, courts, and corrections programs, which are the basis of the criminal justice system. Others of the State accounts give a general overview of all law enforcement and crime reduction programs.

**Arizona.** Arizona utilizes its block grant funds in a way designed to provide steady and orderly progress toward improvement of the entire criminal justice system. Action programs have been undertaken in all major law enforcement areas.

In the area of police operation, efforts center on improving police personnel and upgrading equipment, especially police communications equipment. During the past 3 years, \$400,000 has been expended on police training. Basic training has been provided to more than 1,000 police officers, and 300 others have received advanced or specialized training. In the same 3-year period, more than \$800,000 was allocated to improving equipment. About 75 percent of these funds have gone to upgrading police communications. The major objective of the communications improvement program is to bring all systems in the State up to an acceptable standard.

Arizona also has a strong commitment to the improvement of its correctional and rehabilitation programs, and has devoted over \$1 million to that effort over the past 3 years. Included among the improvements were the establishment of misdemeanor probation services in seven lower courts, establishment of halfway houses and community correctional centers, supervision for interstate probation and parole cases, and establishment of a youth conservation camp. The emphasis in these efforts is on community-based programs; but new construction, especially of juvenile detention facilities, is also underway. A new juvenile court center has been completed in Yuma County, and a grant has been awarded for a detention home in Coconino County.

More than 10 percent of the action grant funds awarded to Arizona in FY 1971 were used for improvement of the court and prosecution system, up from 3 percent in FY 1970. Most of the funds expended have been for recruiting, training, and upgrading personnel. A major project in the area of court improvement, funded by LEAA discretionary funds, was the Prosecutors' Technical Assistance Unit, located in the Arizona Department of Law. This unit has prepared three training manuals, five training tapes, and a publication which outlines Arizona cases on self-defense. Another project unit will result in a complete overhaul of the Rules of Criminal Procedure, and eventually of the Criminal Code.

**Arkansas.** Police operations were improved in Arkansas during FY 1971 by programs funded by LEAA to upgrade communications and information systems. A state-

torics system. A project has been undertaken in the State to conduct a survey of police-community relations problems. The Little Rock Police Department is the first law enforcement agency to participate in this project.

To help eliminate the serious backlog of felony cases awaiting trial in Pulaski County, a grant was awarded to the county for a 3-month special project. Funds are used to furnish additional support personnel. In addition to a reduction of the backlog, the project has been instrumental in reducing the county jail population from 110 to 38 felons.

Arkansas spent \$448,200 in FY 1971 to improve its correctional programs. In addition to these funds, money was authorized for a juvenile detention home in Arkadelphia. A discretionary grant of \$61,096 was also awarded to the Arkansas Department of Corrections for a project to supplement the cost of construction of the maximum security unit at Cummins Prison.

**California.** Crime problems in California are complicated by the State's 20 million population, the variety of its geography, the diversity of its socioeconomic groups, its numerous large urban areas, and its more than 400 cities. Planning for enhanced crime prevention and law enforcement requires, therefore, varied programs and widely diversified funding. The State's criminal justice system requires a total budget of over \$1.1 billion annually.

Among projects funded in the field of corrections were grants to Alameda County for improved sentencing and detention procedures for persons convicted of crimes. The funds will be used to implement a work-furlough program; to offer inmates counseling, vocational assistance and job retraining; a misdemeanor citation program to reduce the number of persons in detention awaiting trial; and a pretrial release program to be operated by the county probation department.

Statistics show that in 1970 there were 13,836 arrests for heroin offenses in California—1 percent of the State's total arrests. A study disclosed that 50 percent of street crime may be attributable to addicts seeking money for drugs.

A project directed at drug abuse treatment, research, and rehabilitation was funded to operate in the community of Venice and on the nearby campus of the University of California at Los Angeles. The project will include a halfway house for therapeutic drug rehabilitation; a detoxification center; a prevention, referral, and counseling program, a community "crisis pad" and "street doctor"; and a methadone program and methadone halfway house.

To assist in dealing with street violence and campus disorders, a Civil Disturbance Operations School, established and operated by the California Military Department with participation of other agencies, was funded by the SPA. It will provide training to California law enforcement personnel, government officials, school administrators, public utility personnel, and the military. When completed, the 3-year project, in San Luis Obispo, will have provided some 3,500 participants with knowledge

to advise governmental agencies in planning and control techniques for civil disturbances and other special operations.

**Delaware.** Delaware has used LEAA funds for programs in all areas of the criminal justice system—police, courts, and corrections.

A major problem affecting all areas of the criminal justice system in the State is in the area of information gathering, assembling, and analyzing. Special needs also exist in the State to upgrade correctional programs.

As a result of the need to coordinate criminal justice data, a Criminal Law Enforcement System (CLUES) was developed. This system will aid all elements of the criminal justice system: the police will be able to determine within seconds whether or not a suspect is "wanted"; the courts will be capable of determining the availability of courtroom space; and corrections personnel will be able to predict prisoners' status and logistic requirements many months in advance.

It is expected that two of the State's largest local police departments, in addition to the State police, will soon have on-line access capabilities into this system.

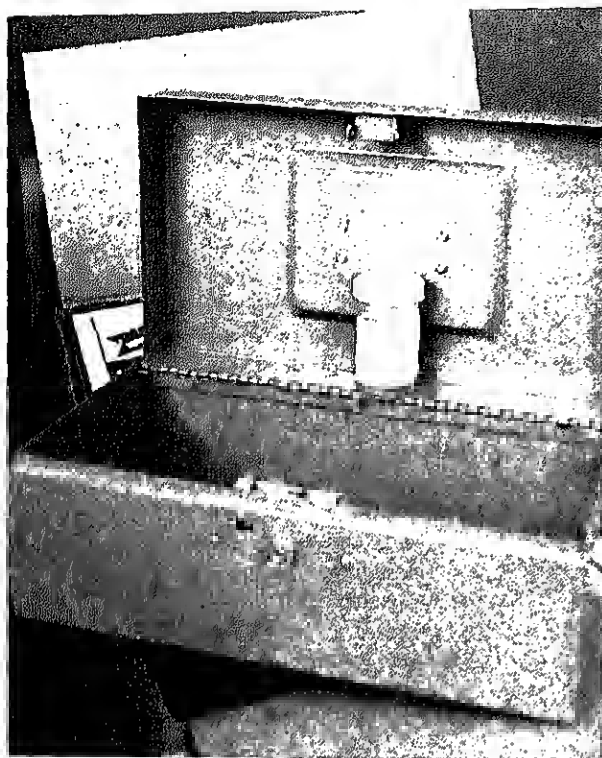
The need for increased police protection at a Delaware beach resort, Rehoboth Beach, resulted in Project ABLF (Atlantic Beach Law Enforcement), which provided money for additional police officers and equipment for that area.

An innovative correctional program is also underway in Delaware. Called Volunteers in Corrections (VIC), the program provided training for more than 100 men and women in FY 1971 and placed them in volunteer jobs with the Division of Adult Corrections, the Division of Juvenile Corrections, and the New Castle County Family Court.

Studies were undertaken during the fiscal year to determine the effectiveness of the court system in the State. These studies pointed to the need for better management and improvement of the system, especially justice of the Peace Courts. Public defenders operating with insufficient staffs also were shown to require attention.

**District of Columbia.** Surveys indicate that a rise in the District's crime rate in the 1960's and a rise in heroin usage occurred almost simultaneously, necessitating an increased allocation of enforcement resources to cut off the supply of hard drugs and enforce laws against pushers and users of hard drugs.

The Narcotics Treatment Administration (NTA) has received LEAA funding for programs which include methadone maintenance, detoxification, and abstinence. Begun in 1970 with treatment for 150 addicts, NTA was



A program to purchase lock boxes for methadone maintenance patients to take home has been conducted by the Washington, D.C., Narcotics Treatment Administration, supported by the Law Enforcement Assistance Administration.

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ment of Correc-Unit to provide eatment for seri-community.

and expeditions court administration, was planned for FY 1972.

Two new corrections programs funded during the fiscal year aim at improving rehabilitation of offenders. Volunteer and probation-aide projects have been developed which will free the field officer from much of his routine work. Through another program, a diagnostic center has been established at the Idaho State Penitentiary. This center will provide a complete evaluation of all incoming offenders to classify special problem cases and to develop a program designed to rehabilitate the individual.

Illinois. Major action programs funded by the Illinois SPA during FY 1971 dealt with areas of personnel, crime prevention, organized crime, police equipment, and juvenile delinquency.

Grants for upgrading personnel enabled universities and the State police to develop and implement training curricula in drug abuse, criminalistics, and riot and disorder control. A program named "Action Now" provided funding for local criminal justice training. Eight major grants aided community relations programs, equipment purchases, management studies, and a study of police selection.

"Project Straight Dope" was funded to develop a media campaign aimed at preventing drug abuse among juveniles.

The Illinois Institute of Technology Research Center was awarded funds to conduct a statewide study of organized crime.

Among other grants awarded were \$415,491 to the Circuit Court of Cook County for renovation and construction of two model courtrooms; a grant of \$115,121 to the Chicago Police Department for a microfilm retrieval system; and an allotment of \$136,800 to Gateway House for its drug abuse facility in Lake Villa.

An alcoholic detoxification center was established in Rockford and Volunteers of America, a private organization, received a grant to establish a halfway house in East St. Louis. The Palatine Township Youth Committee received a grant to establish a Youth Service Bureau.

Kansas. The Kansas Governor's Committee on Criminal Administration identified improvements in courts, corrections, and training of law enforcement personnel as the State's greatest needs during FY 1971.

A pilot public defender project is underway in Topeka and Junction City to determine the feasibility of switching from an assignment system to a public defender system. In the prosecutorial area, a successful summer intern project was expanded in 1971, placing third-year law students in county attorneys' offices. An executive secretary position was established in the Kansas County Attorneys Association to canvass the 105 county attorneys' offices to assess deficiencies and needs and determine the feasibility of a district attorney system.

or halfway houses, have been funded. Police training has been improved by establishing at Wichita State University a baccalaureate program offering a major in criminal justice administration and, at four junior colleges, law enforcement curricula with credits acceptable in the 4-year university program. A Law Enforcement Academy for police training has been established, and Kansas State University is developing a college-credit program for rural police using remote audio-video teaching facilities.

A Police Legal Advisor Program, in its second year in Wichita, provides 24-hour technical advice for officers, collection of evidence, and supervision of city prosecuting attorneys and appeals from traffic court and police court.

**Kentucky.** Kentucky centered law enforcement efforts in FY 1971 on consolidating State and local programs, and concentrating on urban ills.

One grant was given to Louisville and Jefferson County to begin consolidation of their police departments. Other consolidations have also been initiated. For example, Davies County officials have contracted with the Kentucky State Police to get State troopers to serve, in effect, as a county police force. Also, by the end of FY 1971, nine major police regional radio networks were in various stages of formation. These radio networks are an important step toward consolidating statewide police efforts.

A grant was given to the State Police to establish a computerized crime information center which will provide police information to more than 20 localities. Statewide services for all localities are also continuing through other State Police functions. A State crime laboratory, a State Police Organized Crime Unit, and a special narcotics unit have also been funded.

Kentucky also is moving to improve the State judicial machinery. Efforts have been made to revise Kentucky's substantive laws, and administrative reforms for courts are underway. Alternatives to bail, such as release on recognizance, also are being encouraged.

In the area of corrections, community-level programs are being funded. Another project involves the State's first organized prerelease programs for offenders. Other efforts include a new Office of Treatment Programs, a model probation and parole program, use of volunteers and paraprofessionals, and support of halfway houses for ex-inmates. Studies are also underway to assess the feasibility of constructing jails which serve three or more counties.

**Maryland.** Improvement in rehabilitation of adult offenders continued as a top priority of the Maryland Governor's Commission on Law Enforcement and the Administration of Justice during FY 1971. The Programmed Learning Project, supported by LEAA funding, uses self-pacing study for the 38 percent of the State correctional inmates with less than a fifth-grade education. In 1 school year, 58 of the 155 students achieved high school equivalency.

In the Community Reintegration Project, each inmate tailors his own "return plan" to his needs in a counseling program with a wide variety of resources. His family is involved in the project, which offers both pre- and post-release planning. The project team works with the AFL-CIO placement project to find satisfying, well-paying jobs with public and private employers (251 placements were made in FY 1971), and advises the Division of Corrections on necessary training. Community service coordinators recruit and train volunteers to help improve community attitudes to inmates and work with inmates in self-help groups.

A court study project recommended a broad program to improve and reorganize judicial and defense services, management, and operations, much of which was included in the new Maryland District Court plan. A Public Defender's Office opened in October 1970 in Baltimore, operating 24 hours a day and using ex-offenders as investigators. By the end of FY 1971, almost 5,000 cases had been handled. A pretrial division was added to the State Attorney's Office in Baltimore to reduce the rate of trial postponements.

The Baltimore Police Laboratory used two grants for equipment and for employing skilled civilian scientists and technicians to relieve police officers. The Maryland Police Training Commission used grants to produce a drug abuse manual for all State law enforcement officers and to develop specialized intensive training seminars for police instructors and supervisors from Maryland, Virginia, Delaware, and the District of Columbia.

**Massachusetts.** Reducing crime in major cities took top priority in FY 1971 with the Massachusetts Commission on Law Enforcement and Administration of Criminal Justice. A great deal of community involvement in identifying problems and developing strategy characterized the approach, which also focused on improving police and court systems, including management, communications, and information systems. Also stressed were police planning and research in allocating resources, and recruitment and training for both police and probation officers.

Delinquency prevention and rehabilitation projects emphasized Youth Resources Bureaus to coordinate community services to youths, both those on probation and those referred from a variety of other sources. The strategy also called for strengthening prosecution capacity in Worcester, Boston, and Cambridge with experienced lawyers as special assistant district attorneys to advise police in developing and handling cases and to help prosecute cases traditionally handled by police officers alone.

State agencies' responses to statewide crime and



delinquency problems were also strengthened. The Department of Youth Services shifted emphasis from institution-based to community-based treatment, with 10 to 15 delinquents in each residential home. The Department of Corrections began rehabilitation programs that emphasized integrating offenders into the community through work-release, vocational training, and education. Unifying the entire correctional system through joint-action projects was the aim of the Joint Correctional Planning Commission. Major changes in the State Police included bureau reorganization, new laboratory facilities, and development of research and planning capability.

The Holyoke Police Team, one of the most innovative projects receiving support, removed 12 patrolmen, two sergeants, and their captain from the traditional hierarchy. The captain coordinates goals but does not assign cases. The sergeants and patrolmen on duty work as equals, respond to incoming calls, decide strategy, and follow cases through to the end. The team works out of a storefront office connected to a restaurant, wears blazers instead of uniforms, and seeks community advice and volunteers.

**Michigan.** The Michigan SPA has reported that organized crime in the State takes an annual toll of an estimated \$1 billion, mostly from poverty-plagued residents in urban areas. To attack the problem, five major projects, funded through various units of government, were initiated.

Funds were granted for a project, using personnel from Detroit police agencies, to conduct investigations into syndicated crime activities. The Wayne County prosecutor's office, the sheriff's department, and the Detroit Police Department were allotted money to create a special task force for organized crime control. The State attorney general's office received funds to implement a project to provide a staff of skilled attorneys, investigators, accountants, and analysts to conduct organized crime investigations and prosecutions.

A grant was made to prepare public education material for the news media for use in an attack on public apathy which contributes to the operation of organized crime.

An automated microfilm system, allowing instant retrieval of vital information for use by organized crime, gambling, narcotics, and specialized criminal units, was established in the Lansing headquarters of the Michigan State Police.

Another project was Detroit's STRESS (Stop The Robberies; Enjoy Safe Streets) program in which police officer volunteers, carrying concealed communications equipment, are disguised as possible crime victims. The

passes, and extended visitations.

The Michigan SPA has also made substantial awards to reduce case backlogs in the courts through additional manpower and reorganization.

**Minnesota.** Improving information and police radio communications were the most pressing needs cited by the Minnesota Governor's Commission on Crime Prevention and Control in FY 1971. A study of better allocation of radio frequencies was completed, and a 3-year implementation period was begun with a \$1 million allocation. The completed system will enable every police car and dispatcher in the State to reach every other car and dispatcher immediately and directly.

An implementation plan is underway to expand a comprehensive law enforcement information system to include courts and corrections data, which will greatly aid long-range planning and coordinating of resources. Teletype input to the system is being converted from manual to automatic to quadruple the capacity. Criminal justice information systems are being established in St. Paul and Hennepin County (Minneapolis). A five-member State task force on information systems meets regularly to review grant applications with data processing implications and to negotiate duplications and jurisdictional disputes.

Police training programs are underway to upgrade personnel in the many small law enforcement agencies in the State through regional basic training courses. In the urban Minneapolis area, a project to hire and train a citizen housing patrol force aims at protecting the 3,600 persons living in five public housing projects.

**Mississippi.** A State probation and aftercare service system project, aimed at providing youth court counselors in each State youth court jurisdiction, is part of a comprehensive plan developed after a series of State legislative studies partially financed with LEAA funds. Other parts of the plan being supported are pilot projects using volunteer youth workers who include juvenile ex-offenders, improved training for juvenile correctional personnel, and regional and local halfway houses and group homes to supplant the State's two overcrowded training schools.

Training also was provided for adult correctional, probation, and parole personnel; for police officers; and for officials ranging from justices of the peace to State court personnel, through establishing a Mississippi College of Trial Judges.

Other projects included regionalizing jails; establishing comprehensive rehabilitation programs for State, regional, and local correctional institutions; improving security in State correctional institutions; and improving courtroom communications. A statutory restructuring of the office of the Sheriff of Mississippi necessitated an equipment improvement program for local government units.

**Missouri.** As in other States, drug abuse is a major problem in Missouri. Programs to educate the public on the



quired for crime laboratory processes. Laboratory equipment to be acquired include spectrograph, X-ray diffractometer, spectrofluorimeter, and a special 35-mm camera.

A personnel program supports efforts to assist the criminal courts system in reducing processing time and generally improving operating efficiency through expansion of prosecution, public defender, and court staff.

**New Jersey.** In the area of police resources, funds were used by the New Jersey State Planning Agency to increase police patrols in selected high crime areas, and to make more efficient use of police resources during FY 1971. Under this program, \$149,000 was awarded to Jersey City to enable its police department to put more patrolmen on the beat in high crime areas. The additional officers are drawn from a pool of off-duty officers who would not ordinarily be working extra time.

A grant of \$30,351 went to the city of Montclair to reinforce its existing narcotics division. The money will help fund an Office of Narcotic Coordinator, which will train personnel and educate the public on drugs. A similar grant, for \$19,754, was given to the city of Elizabeth to add three detectives and supporting equipment to the police department's narcotics squad.

Other police funds went to a drive against organized crime. A substantial amount of this total went to Essex and Mercer Counties to set up organized crime investigation and prosecution sections in their jurisdictions.

New Jersey received a total of \$2,880,000 for corrections and rehabilitation programs in FY 1971. A total of \$825,000 of these funds went to community-based corrections programs.

A grant of \$113,553 to Essex County helped establish a "Community Center Approach to Residential Juvenile Offenders." The money helped fund an innovative project in which the YMCA and YWCA of the city of Newark set up a center in the downtown area for residential treatment of adjudicated juvenile offenders.

The Essex County Juvenile Court is one of a broad range of agencies whose resources were channeled into a specialized setting to cope with a rise in scholastic failure and juvenile delinquency. The project is part of Project HAY (Help Alienated Youth), sponsored by the city of East Orange.

**New York.** Programs in crime prevention; juvenile delinquency; detection and apprehension of criminals; prosecution, court and law reform; organized crime; corrections and rehabilitation; and community relations were the chief projects funded in New York during FY 1971.

Grants were awarded to police agencies, mostly in the State's metropolitan areas. An innovative program provided enhanced police training in dealing with explosive devices.

Corrections projects funded included a series of training programs for existing personnel, a series of evening academic and vocational services for sentenced prisoners, strengthening of community and volunteer services available to inmates while incarcerated and upon re-

lease, and the expansion of legal assistance services for inmates.

The New York City Department of Correction received grants to operate projects for the recruitment, training, and hiring of approximately 200 paraprofessional correctional aides to meet needs of men and women remanded to jails; to provide intensive human relations training for the existing correctional staff; and to initiate a methadone detoxification program for persons committed to city institutions.

A multi-service addiction treatment program in the Harlem area, where drugs are a major problem, also was funded.

Delinquency prevention programs were funded in Rochester, Buffalo, Syracuse, Yonkers, Niagara Falls, Newburgh, and New York City, all classified as high-crime areas.

**North Carolina.** A substantial part of the total action grant for North Carolina went toward upgrading police effectiveness through training, installation of communications equipment, and development of community relations programs. The training program reached many officers in small, rural departments. One program was held for officers in a nine-county area where the majority of departments had staffs of five or fewer officers.

A community relations project in Charlotte involved the Model Cities neighborhood. Local precinct-type social services were established to receive community grievances. The project included a seminar on "The Citizen and the Law," which discussed personal rights and responsibilities.

In corrections, programs were aimed at improving facilities and services, and developing alternatives to incarceration. One new corrections program, serving a four-county area, provides professional guidance, never before available, to alcoholics who attend eight weekly therapy sessions. Supervision is maintained during the first 6 months of release. The success rate at the end of FY 1971 was nearly 90 percent.

A top FY 1971 priority in court reform was the provision of administrative assistants to the State's 30 full-time solicitors, for which \$159,375 was allocated. In one region, the assistant to the solicitor helps investigate cases, interviews witnesses, gathers evidence, and prepares cases before they are delivered in court.

**Oregon.** The State of Oregon used LEAA funds in FY 1971 to meet its needs in crime and delinquency prevention, training of enforcement officers, bettering communications and information systems, and improving its corrections system.

In police training, Oregon made a grant to the District Two Association of Governments to give training in how to deal with family arguments. This program, called the Family Crisis Project, provides psychiatric consultation in how to deal with domestic disturbances.

The project staff worked with the Metropolitan Police Academy and gave seminars in relations with the community. This program reached about 600 officers in Portland and the surrounding area. The most successful part of the program has been a 40-hour seminar in "understanding people." Its emphasis on practical, applied psychology was well received by most of the 80 officers attending the seminars.

Oregon found that it had chronic needs in corrections programs for both juveniles and adults. Among the problems were outmoded jails, a lack of rehabilitation programs, and untrained personnel. The State used part of its LEAA funds to support a study on the feasibility of building regional correctional multi-service centers for both adults and juveniles. The study will determine how the centers should be constructed, and will identify needs for new programs and facilities, and determine how they should be implemented.

The Supreme Court of Oregon was tentatively allocated funds to study the need and possibility of restructuring the State's current judicial system. A small but important grant to the city of Portland enabled the city to develop details for merging city municipal courts with county district courts. This is expected to improve the efficiency of the local judicial system and provide for greater cooperation between local law enforcement officials and prosecutors.

Pennsylvania. Crime prevention; juvenile delinquency; detection and apprehension of criminals; prosecution, court, and law reform; organized crime; riots and civil disorders; and upgrading enforcement personnel and procedures were major elements of Pennsylvania's programs for the improvement of criminal justice.

The drug abuse problem was given high priority and county drug abuse coordinators and counselors were established in Bucks, Chester, Delaware, and Monroe Counties. Drug abuse education programs for students and teachers were held in Cheltenham Township schools, and Teen Challenge operated special programs in Jefferson and Schuylkill Counties. School assemblies on drug abuse were funded for Lower Bucks County.

The Organized Crime Division of the Pennsylvania State Police received a substantial grant to establish a unit for coordinating investigative activities among State police field personnel and Federal State and local

established in large and medium-sized metropolitan areas. Grants were made to these units for specialized equipment, including bulletproof vests, helmets, and protective shields. A typical grant enabled Harrisburg to pay for patrol vans, armored vests, and riot shields.

An LEAA discretionary grant was made to the office of the State attorney general to create a Civil Disorder and Riot Control Unit.

Programs designed to increase the efficiency of the courts by expanding facilities and improving court management received substantial grants. One use of these grants was to provide 20 assistant district attorneys so that the district attorney's office can make personnel available to the police 24-hours a day.

Texas. A step toward overhauling the entire Texas court system was taken when the SPA awarded grants to three planning regions for development of regional systems which will become components of a State system designed to speed up court procedures and eliminate criminal case backlogs.

Big cities in Texas have taken the lead in providing law enforcement services for their regions. Beaumont was awarded a grant to expand regional crime laboratory facilities. A police helicopter program for Dallas has been expanded to provide helicopter support to more than 30 police agencies. San Antonio has inaugurated a helicopter program for Bexar County.

More than 40 Texas cities and towns are involved in programs to stimulate public awareness of the crime problem and citizen participation in law enforcement efforts.

A result of these and other programs to strengthen law enforcement has been a reduction of high crime incidence in Fort Worth, San Antonio, Austin, Dallas, and other cities.

Virginia. The Virginia State Planning Agency determined that the greatest need for funds in FY 1971 was for programs in crime prevention, juvenile delinquency, corrections, and rehabilitation improvement.

Part of a \$150,000 discretionary grant to the city of Richmond was used by the Bureau of Police to fund a drive against high-echelon drug traffickers. A three-man task force will devote all its efforts to this drive, in coordination with the existing narcotics unit.

On the State level, Virginia is developing a crime information system, Virginia Criminal Information Network Department (V-CIND). This project will give police officers quick access to local, regional, and national data. Information will be contained in three systems—vehicles, property, and persons.

An action grant of \$16,750 was awarded to the School of Social Work of Virginia Commonwealth University for a 9-day meeting on corrections. The conference emphasized corrections as a crime-reducing mechanism, and aided correctional personnel in furthering the relations of corrections programs with the surrounding communities.

Wisconsin. Since much crime in Wisconsin has been attributed to juveniles, the SPA awarded funds to schools, police departments, and civic organizations to prevent delinquency and improve juvenile corrections procedures. Police-school liaison officers assist teachers, administra-

television stations and will be used in police training programs and in secondary schools.

Another program funded in Wisconsin supports attendance by new trial judges at courses sponsored by the State Supreme Court at the Wisconsin Judicial College. Courses include pretrial criminal matters, criminal court trials, sentencing, probation, juvenile courts, general administration, and other aspects of the criminal justice system.

## Areas of Special Emphasis

Through its block and discretionary grant programs, LEAA gives emphasis to a number of major areas in efforts to reduce crime through the Federal-State-local criminal justice partnership. Examples of that special emphasis are in the fields of juvenile delinquency, narcotics and dangerous drugs, and organized crime.

### Juvenile Delinquency

Juvenile delinquency emerged as a priority concern in FY 1971, and preparations were made for new efforts in this area in subsequent years.

In one key development, President Nixon established an Interdepartmental Council to Coordinate All Federal Juvenile Delinquency Programs. The Council was designed to develop and put into effect coordinated strategies for use of resources to prevent and reduce juvenile delinquency and youthful crime.

As part of this effort, the Attorney General and the Secretary of Health, Education, and Welfare (HEW) concluded an agreement which generally allocated the resources of LEAA and HEW for maximum impact. The attention of LEAA was focused on juveniles after they have entered the juvenile justice system, while HEW concentrated on prevention programs to keep juveniles from entering the correctional system at all.

**State action programs.** A number of States allocated a large percentage of their action funds for juvenile-related projects—between 15 and 30 percent—indicating a high priority.

California, which spent \$5,373,996 on juvenile delinquency out of \$32,999,000, supported Project Oz in San Diego, a 24-hour treatment center to divert runaway and beyond-control boys and girls from entry into the criminal justice system. In addition to the Fenner Canyon camp for Los Angeles probationers, the State supported three community resource centers in San Francisco. Both professionals and volunteers work to keep juveniles from being

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Camp Fenner Canyon, in California, has been funded by the Law Enforcement Assistance Administration for the rehabilitation and training of young offenders.



arrested and institutionalized and to work with them in the community.

Connecticut, which spent \$1,019,337 out of \$5,001,000, supported youth service bureaus and counseling programs in 10 municipalities; four residential halfway houses to provide tutoring, counseling, and a supportive atmosphere; a multi-service center with a full range of services; and expanded diagnostic services.

Missouri, which spent \$1,900,052 out of \$7,760,000, supported programs to expand the number of group residential homes from 12 to 28, to mobilize community resources for the use of eight juvenile court systems, to employ 70 new juvenile court personnel throughout the State, and to reduce workloads by increasing personnel in the State training school system.

Oklahoma, which spent \$600,000 out of \$4,182,000, gave delinquency among American Indians first priority. Project PRIDE aimed at improving youths' self-images and potential in five communities plagued by delinquency, dropouts, alcoholism, drug abuse, suicide, poverty, and a whole spectrum of failure-associated characteristics. A project to improve the juvenile probation program in metropolitan Oklahoma county was also begun.

Puerto Rico, which spent \$1,008,000 out of \$1,502,000, developed programs ranging from youth service bureaus and diagnostic clinics to drug abuse and delinquency prevention centers in public schools throughout the island.

Virginia, which spent \$1,322,000 out of \$7,604,000, provided psychiatric and psychological consulting services for four juvenile systems: to develop and expand volunteer services, community services and counseling centers in a number of cities; to develop a statewide system of juvenile halfway houses; and to improve statewide training of juvenile correctional personnel.

Wisconsin, which spent \$2,309,000 on juvenile delinquency out of \$7,309,000, the highest percentage in the Nation in FY 1971, developed a comprehensive program aimed at all social institutions relating to youth: schools, police, courts, corrections, and community agencies. An award to the Great Lakes Inter-Tribal Council provides for a comprehensive development and prevention program for the 10 American Indian tribes in Wisconsin. Police liaison programs were particularly successful.

**Discretionary programs.** LEAA's discretionary funds supported a wide range of programs with an impact on juvenile delinquency, including programs to improve the juvenile justice system, to provide treatment for youthful drug addicts, to assist young people in returning to the community from home,

social worker, and resident nurse assigned to the court intake screening unit.

The "Looking Glass" project in Chicago, Ill., provides counseling and referral services for runaway youths. "Looking Glass" operates a licensed outpatient treatment facility within the Travelers Aid Society of Metropolitan Chicago. The project assisted more than 200 young people in its first few months of operation.

## Narcotics and Dangerous Drugs

The narcotics and dangerous drugs crisis has become an area of special emphasis for LEAA because of the close relationship between narcotic addiction and the incidence of crime.

By means of block and discretionary grants, LEAA has improved the investigative and apprehension capabilities of State and local enforcement agencies. LEAA has also supported research, prevention, and rehabilitation activities through its National Institute for Law Enforcement and Criminal Justice.

**Office for Drug Abuse Law Enforcement.** A new enforcement program in which LEAA participates is the Office for Drug Abuse Law Enforcement (DALE). DALE was initiated in March 1972 and operates in 33 target cities in a campaign against street-level heroin traffickers. The role of LEAA is to assist in the funding of State and local participation in the DALE activities by supporting the assignment of legal, investigative, and other personnel to the Federal teams.

**Metropolitan Enforcement Groups.** Another enforcement program funded by LEAA is the Metropolitan Enforcement Group (MEG). The MEG consists of local law enforcement personnel and agents of the Bureau of Narcotics and Dangerous Drugs (BNDD) who join together to investigate and apprehend narcotics traffickers within urban areas.

**Block action grants.** Since drug abuse has become a target area of special emphasis, a substantial part of the block action grants to the States has been devoted to programs of enforcement, prevention, education, and treatment. Following are examples of State activities involving these block action grants.

In New Jersey, the Department of Health received funds to expand its methadone maintenance programs. These funds made it possible to increase treatment staff, acquire additional facilities, and begin treatment of addicts in new centers. Atlantic City received funds for a project aimed at treating narcotic addicts in two residential centers and providing methadone maintenance at a third center.

A portion of the Rhode Island block action grant was channeled into the House of Hope, a residential treatment center for addicts. Addicts are either referred to the center by the courts or they voluntarily seek admission. In addition to a good diet, recreation, physical examinations, and medical services, educational and em-

**Discretionary grants.** In FY 1971, LEAA awarded nearly \$5 million in discretionary funds for special narcotics control programs in 22 States. Following are examples of these discretionary grants.

In Florida, the city of Jacksonville received \$150,000 in LEAA discretionary grant funds to support a project entitled "Demonstration Out-Patient Evaluation and Rehabilitation Program for Drug Addicts and Users." Through this program, Jacksonville has been able to provide comprehensive drug treatment and rehabilitation to about 700 drug addicts and users per year.

An LEAA grant of \$97,696 was awarded to the Louisiana Department of Public Safety for the purpose of forming a 20-man narcotic and dangerous drug unit within the Louisiana State Police. The responsibilities of this unit include gathering information and making it available to State and Federal law enforcement agencies, and also conducting educational programs in the State.

In Michigan, the Police Department of Sterling Heights was awarded \$92,208 in discretionary funds to establish an inter-community narcotics and enforcement unit. The grant provided for intensive training for 35 investigative personnel from participating local police departments, and also provided for the development of a central information file and intelligence system in cooperation with municipal and State enforcement groups.

The New Jersey Department of Public Safety received \$85,102 from LEAA to deploy a 17-man task force against the considerable illegal drug traffic in the State. This project combined intensive training with actual enforcement operations against wholesalers, sellers, and importers of narcotics and dangerous drugs.

The Metropolitan Regional Council in New York City was awarded \$114,665 for a two-phased effort to improve law enforcement. The first part of the plan involved the training of a 15-man unit by the Bureau of Narcotics and Dangerous Drugs, while the second phase called for the selection of an additional 300 men to assist the first group. The latter group would be drawn from participating police departments and local units of government.

**Research.** The National Institute of Law Enforcement and Criminal Justice has supported research activities with the ultimate objectives of developing new enforcement capabilities against narcotics law violators, evaluating rehabilitation programs, and improving knowledge concerning the physiological effects of certain drugs upon animals and humans.

The Vera Institute of Justice received \$162,027 from LEAA to evaluate the impact of methadone treatment on addicts in the Bedford-Stuyvesant section of Brooklyn in New York City. In addition to assessing the effects of the treatment on the addicts themselves, the National Institute also examined the implications of the program upon the level of crime in the area and upon the general character of the environment.

The Army Land Warfare Laboratory received from the National Institute a \$15,000 grant to explore the

feasibility of detecting processed heroin through the use of either a mass spectrometer or a plasma chromatography instrument.

Another Army Land Warfare Laboratory grant from the National Institute, in the sum of \$45,000, supported research into the training of dogs to detect both heroin and explosives.

A National Institute grant of \$87,506 was awarded to the University of Texas to continue research into the effects of chronic use of marijuana. The experimental work included neurophysiological investigations with cats and monkeys, genetic studies with monkeys and humans, and personality, neurophysiological, and behavioral assessments with humans.

**Pilot Cities Programs.** The National Institute started the Pilot Cities Program in order to field-test new developments in law enforcement and criminal justice techniques and procedures. A large portion of the Pilot Cities activity is concerned with drug abuse, the emphasis being placed upon methadone maintenance and other rehabilitation programs for heroin addicts. There were four Pilot Cities in operation by the end of FY 1971.

The Pilot Cities efforts in the drug area operate with the three objectives of reducing the extent of heroin addiction, lowering the crime rate, and returning the addict to society as a useful citizen.

A good example of the Pilot Cities activity in the drug area is the Santa Clara County Methadone Treatment and Rehabilitation Program, conducted in San Jose, Calif. Operating with \$204,863 in LEAA funds, the project was directed to set up five clinics to provide treatment, maintenance, rehabilitation, and referral for 1,000 to 1,500 persons.

## Organized Crime

The Omnibus Crime Control and Safe Streets Act specifically directs LEAA to give priority attention to efforts to combat organized crime, and the Agency's programs are an important part of the overall Federal drive against organized crime.

LEAA is a member of the National Council on Organized Crime, established by the President in 1970. The Council coordinates the Federal organized crime control effort and focuses individual departmental capabilities on various aspects of the problem.

LEAA efforts are principally designed to help State and local enforcement and prosecution agencies to develop more effective organized crime control programs.

State action programs. In FY 1971, States allocated more than \$11 million for organized crime control—or about 3 percent of their LEAA block grant funds.

Georgia, which spent \$270,042 on organized crime out of its block action grant of \$7,518,000, financed the establishment of a State network of intelligence units to investigate organized crime.

Hawaii, which spent \$226,020 out of \$1,379,000, established two programs to attack organized crime. One project upgraded the statewide police criminal intelligence function; the other developed an Investigatory and Prosecutorial Unit to act as the State attorney general's strike force.

In Illinois, \$1,388,000 out of \$18,368,000, supported several programs aimed at controlling and reducing organized crime in the State. To meet the critical need to determine the scope of organized crime throughout Illinois, one grant financed a comprehensive statewide study of the problem.

Louisiana spent \$302,599 out of \$5,966,000 to support programs to educate the public about organized crime; upgrade police intelligence units; create organized crime investigation structures; study the feasibility of an organized crime control agency; and conduct legislative research on organized crime.

Michigan, which spent \$1,000,000 out of \$14,692,000 on organized crime, financed a number of major programs to spearhead the State's attack on organized crime. One cooperative effort, the Michigan Intelligence Network Team (MINT), utilized personnel from seven Detroit-area police agencies to conduct coordinated surveillance and investigation of activities of organized crime leaders. A special task force for organized crime control was created, drawing upon personnel in the Wayne County Prosecutor's Office, the Sheriff's Department, and the Detroit Police Department. The Michigan attorney general's office has established a unit composed of attorneys, investigators, accountants, and analysts to conduct organized crime investigations and prosecutions, and to train and assist local law enforcement agencies during special investigations.

Pennsylvania, which spent \$1,118,304 out of \$19,532,000, supported projects to staff and equip specialized organized crime control units. A strike force under the direction of the State attorney general was established, as well as an intelligence unit designed to gather and disseminate organized crime information throughout the State. The Pennsylvania State Police received funds to establish a special unit to coordinate investigative activities by their personnel.

New Jersey spent \$686,000 out of \$11,870,000, to support a statewide crime intelligence project; an Organized Crime Task Force Bureau in the New Jersey State Police; an Organized Crime and Special Prosecutions Section of the Division of Criminal Justice; an organized crime training school; a resource pool of personnel and equipment available to State and local law enforcement agencies; and investigation and prosecution sections in the Essex County-Newark and Mercer County-Trenton areas.



An LSD sample is tested at the Dayton (Ohio) Crime Laboratory.

Discretionary programs. LEAA also awarded nearly \$4 million in FY 1971 in discretionary funds for a variety of programs to fight organized crime. Examples of significant efforts follow:

The Knapp Commission was created to determine the extent and nature of police corruption in New York City, its relationship to organized crime, and its effect on the public, and to recommend effective methods to control or eliminate corruption.

The New England Organized Crime Intelligence System is the first coordinated, multi-State effort to combat organized crime in the United States. The System centralizes the organized crime intelligence operations of the six New England States and coordinates enforcement efforts.

The Special Prosecution Unit in the Illinois attorney general's office focuses on civil rather than criminal jurisdiction to combat organized crime. The Unit has successfully used antitrust laws against organized crime activity in the State.



The West Virginia Purchasing Practices and Procedures Commission was created to determine the extent of corruption of public officials in the State and to expose and remedy the deficiencies. The Commission also drafted reform legislation, enacted by the State legislature, designed to protect the State from internal corruption.

## Discretionary Funding

In addition to block grants to States, LEAA also awards discretionary action funds to support important or innovative programs that might not otherwise be funded.

LEAA also utilizes special funds—known as part E awards—for a broad range of corrections improvements, with emphasis on rehabilitation and creation of community-based treatment programs for offenders.

For most of FY 1971, the discretionary grant program for action projects operated in five basic categories: police, courts, corrections, organized crime, and disorders. In addition, special emphasis was placed on awards to the Nation's largest cities and counties. Reports on those activities follow.

**Police.** The Police Program Division's basic mission was to improve the capability of police to reduce crime.

Its major areas of efforts were improving human resources, including recruitment, selection, evaluation, development, and working conditions of police practitioners; providing more adequate tools and facilities for transportation, communications, information handling, and scientific analysis; improving relationships between police and other elements of the criminal justice system and between police and the public; and improving operations and management, especially in efforts to cope with serious crime problems.

Discretionary funds were used to support projects in such diverse areas as recruitment of bomb disposal specialists and systems analysis; employing psychiatric consultants to advise local police departments on selection of new personnel and evaluation criteria for promotion; career development programs; regional crime laboratories; sophisticated forensic equipment; feasibility studies of merging various police jurisdictions; and policing of public or low income housing.

Special emphasis was placed on the creation of regional crime laboratories, an essential element of law enforcement. The LEAA program calls for locating regional

also supported a New Jersey project to develop a statewide coordinated approach to narcotic and drug trafficking.



Scientist holds drugs to be tested at the Dayton (Ohio) Crime Laboratory, funded by the Law Enforcement Assistance Administration.

**Courts.** The FY 1971 goals of the Courts, Prosecution, and Defense Program Division were to:

- ☐ Involve the judiciary, prosecutors, and bar in the LEAA program.
- ☐ Stimulate improvement in the organization and management of the courts.
- ☐ Stimulate improvement in the organization and management of the prosecution function.
- ☐ Stimulate the development of Statewide systems for providing defenses services.
- ☐ Develop objective standards for the operation of courts, prosecution offices, and defender services.
- ☐ Evaluate all projects supported by the division and provide a clearinghouse for information on such projects.

**Corrections.** LEAA efforts in corrections underwent dramatic change in FY 1971 through enactment by Congress of the Omnibus Crime Control Act of 1970. Part E of the act—proposed by the Nixon Administration—established a new program of LEAA support for improve-



ex-offenders in employment.

**Civil disorders.** The Civil Disorders Program Division assisted States in developing plans and technical assistance capability to detect, prevent, and control civil disorders. It utilized training, its own technical assistance, conferences, and staff support from Civil Disturbance Technical Assistance Units, which it helped establish at the State level.



Inmates at the Federal Reformatory, El Reno, Okla., receive vocational training in welding.

Among its major activities was support of the Civil Disturbance Orientation Course (SEADOC), operated by the U.S. Army at Fort Gordon, Ga. In addition to training military officers, this program trains senior civilian personnel from States and cities in civil disturbance control.

**Organized crime.** The Organized Crime Program Division undertook to assist States in developing definitive descriptions of organized crime activities within their juris-

dictions; to develop general awareness of the subject on the part of the population; to reduce and prevent organized crime through intelligence, investigation, and prosecution; and to develop an overall effective approach to organized crime at the State and local levels.

The Division sponsored training conferences and developed manuals and other publications for law enforcement practitioners.

Among the more significant activities funded by LEAA in this area was the Knapp Commission, which investigated the nature and extent of alleged police corruption in the New York City Police Department. The division also supported a coordinated intelligence system, the New England Organized Crime Intelligence System, which centralizes intelligence operations of the six participating States.

## Big Cities Programs

A Big Cities Program offered support in FY 1971 for special projects directly addressing law enforcement and crime control needs of the Nation's largest cities and urban counties, where high crime incidence and law enforcement problems present the most difficult challenges.

Projects submitted for support under the Big Cities Program encompassed any phase of law enforcement or crime control activities within the following major project areas:

- ☐ Improved police services and operations, including community relations.
- ☐ Juvenile delinquency prevention and control programs.
- ☐ Improved court operations.
- ☐ Narcotics and dangerous drug programs.
- ☐ Jail and community or county correctional programs.
- ☐ Organized crime programs.
- ☐ Citywide coordinating or planning councils or commissions.

## Other Activities of LEAA

In addition to the block and discretionary grant activities, LEAA also conducted a number of other important programs in FY 1971—including research, law enforcement education, technical assistance, and statistics and information projects. Reports on each follow.



Many programs to upgrade police operations have received funding from the Law Enforcement Assistance Administration.

## Law Enforcement Research

The National Institute of Law Enforcement and Criminal Justice conducts a research, development, test, and evaluation program through grants and contracts with individuals, public agencies, institutions of higher learning, and industry, and with private organizations and firms, both profit and nonprofit. It also carries out in-house research.

In FY 1971, the Institute for the first time participated in the award of 17 discretionary fund grants to State and

Crime prevention. In the field of crime prevention and deterrence, the Institute, in cooperation with the Louisville, Ky., public schools, initiated a study of delinquency prevention; commissioned the Bureau of the Census to conduct two surveys of victims of crimes in San Jose, Calif., and Dayton, Ohio; supported a continuing study of the impact of methadone treatment programs on the criminal careers of addicts and on criminal activity levels in communities; and let a contract to the Illinois Institute of Technology Research for a design of an improved device to detect concealed weapons, often involved in killings and hijackings.

**Police operations.** In the field of police operations, the Institute undertook a wide range of research and development projects designed to improve police operations. These included tactical analysis; bomb defense; narcotics; police equipment; forensic science; personnel; and police management.

Projects included a grant to the sheriff's office in Jacksonville, Fla., for a tactical analysis of street crime; and grants to the U.S. Army to train dogs to enter buildings and detect hidden explosives and to test the capability of dogs to detect heroin.

**Courts.** The Institute continued to support projects intended to promote speedier, more effective, and more equitable courtroom justice. Emphasis was placed on court operations, law revision, court facilities and equipment, court personnel, and juvenile justice.

Grants awarded included more than \$540,000 to improve the processing of criminal cases; \$315,000 for projects in courthouse reorganization and renovation; court security; comparative courtroom transcribing techniques; and an exploratory study of the feasibility of videotaping courtroom proceedings.

A grant of \$46,000 was awarded the Institute of Court Management of the University of Denver in support of a project to design and evaluate its court executive training program curriculum.

A grant of \$164,000 was awarded to the Institute of Judicial Administration for a project to formulate standards for juvenile justice.

**Corrections.** The Institute's program in correctional research concentrated on a series of projects to evaluate existing programs to develop more effective ways to rehabilitate offenders.

**Collective violence.** In the field of collective violence research, FY 1971 projects included:

- ☐ A study of law enforcement agency emergency operations, which focuses on procedures used by police agencies in preventing and controlling collective violence; and
- ☐ A study of violence problems affecting fire departments during collective violence situations.

**Organized crime.** The overall purpose of the Institute's organized crime program was to develop methods of data collection and analysis to assist local officials in decisions on how to fight organized crime. The Institute funded a

For decades, criminal justice professionals have urged that the quality of personnel be greatly upgraded, and recommended that one key to this was to have personnel with college backgrounds.

The Education Program concentrates on those already in the criminal justice system. But some funds also are available for studies by promising college students who plan to enter law enforcement.

Reports for FY 1971 showed \$24,464,279 in LEEP



grants and loans to 890 institutions for 73,280 criminal justice students.

Of the participants, 59,953 were in-service students and 13,327 were preservice.

To help measure the impact of LEEP, LEAA distributed a questionnaire to 2,400 criminal justice agencies. Of the agencies which had employees participating in LEEP, 52 percent observed that LEEP had an impact on law enforcement through improved performance of individuals, with 38 percent deferring judgment on impact. Ten percent observed no impact. A large majority of the agency heads suggested that a list of graduating LEEP recipients would be helpful in recruiting.

### Statistics and Systems Analysis

Development of statistical systems and analysis capability was a major concern of LEAA in FY 1971. The major elements included the Statistics Center and the Systems Analysis Center.

The Statistics Center provides data to the criminal justice community, national leadership in developing new statistical research methods, and expert assistance to State and local communities in development of statistical systems.

The Systems Analysis Center is staffed by experts in feasibility studies, systems analysis and design, computer programming, and telecommunications. Its Computer Division helps develop national information systems within LEAA, which include the Criminal Justice Information System, the Grants Management Information System, the National Criminal Justice Statistics Data Base, and the National Criminal Justice Technical Reference Service. The Systems Assistance Division provides technical assistance to State and local governments in their data processing operations, including systems analysis and design, data processing management, analysis of hardware and software requirements, programming techniques, teleprocessing systems, and their associated communications network.

In FY 1971, the Systems Assistance Division assisted State Planning Agencies in programs including: development of State information systems encompassing all criminal justice agencies; improvement of court administration through the use of computers for docketing and courtroom assignment; physical security of the law enforcement computer system; and privacy and confidentiality aspects of automated criminal justice system operations.

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Education programs supported by the Law Enforcement Assistance Administration seek to improve the quality of law enforcement personnel through college-level studies.

# Bureau of Prisons

The Bureau of Prisons is developing a comprehensive, 10-year master plan for upgrading the Federal corrections system. This new effort is in response to President Nixon's 13-point directive on corrections, issued in November 1969.

As directed by the President, the Bureau's 10-year plan emphasizes new rehabilitation programs and the development of alternatives to the traditional prison system. This plan will also upgrade the Bureau's status as a model for State and local corrections systems.

The purpose of the President's approach to rehabilitation is two-fold: to return to society an individual ready and able to lead a useful life and to contribute as a citizen, and to protect the public from further crime committed by an ex-offender.

This approach requires policies and programs based on consideration for the individual offender and on realistic appraisal of his or her needs for education, training, counseling and other forms of personal assistance. It also requires instilling in the offender a sense of self-respect and self-discipline.

Implementation of the President's directive in FY 1971 included the expansion of educational, vocational, and treatment activities and development and implementation of plans for construction of new institutions and renovation of existing facilities.

Further impetus toward renewed Federal efforts in corrections came from the first National Conference on Corrections, held in December 1971.

In a message to the conference, President Nixon said that the Federal Government should lead the way in ensuring that inmates are rehabilitated during their confinement, so that they do not return to a life of crime upon release. Attorney General John N. Mitchell and Chief Justice Warren E. Burger also spoke at the conference.

## Background

Persons convicted of Federal crimes are assigned to the custody of the Bureau of Prisons. When established in 1930, the Bureau was charged by the Congress with the mission of rehabilitating all the prisoners committed to its care.

To carry out its responsibilities, the Bureau has a corrections network of 22 major institutions, three camps, and nine Community Treatment Centers.

The Bureau also shares its expertise with State and local correctional systems seeking to improve their programs and facilities.

**FY 1971 activities.** Fiscal year activities centered on the following programs.

Increased emphasis was placed on professional staff training. During the fiscal year, the first of five Regional Staff Training Centers was opened, a national recruitment program to attract qualified personnel was initiated, and a team of staff specialists to establish correctional goals for incoming prisoners was developed.

Education and training of inmates was carried out through various programs, including a college program.

**Statistics surveys.** During FY 1971, the Statistics Center's projects included the completion of a Directory of Criminal Justice Agencies, the beginning of a survey of court organization, the design of a survey of juvenile detention and correction facilities, development of plans for a national criminal justice data base, the conduct of the National Jail Census, and publication of a report on nationwide estimates of total government expenditures for criminal justice and the number of persons employed.

## Technical Assistance

Technical assistance—involving provision of expert advisory personnel, the conduct of training activities and conferences, and dissemination of technical publications—was an important activity of LEAA in FY 1971. Staff experts assisted SPAs and local units of government in developing plans, designing programs, and participating in conferences and seminars at national, regional, and local levels.

Training activities included:

- ☐ A series of regional seminars in long-range criminal justice planning which were attended by more than 500 State and local planners;
- ☐ Four regional conferences to acquaint State legislative leaders with the LEAA program and its applicability to State needs and programs;
- ☐ Regional conferences for State officials to discuss techniques to prevent, detect, and control civil disorders;
- ☐ A national conference on organized crime for police administrators, prosecutors, judges, and representatives of the private sector; and
- ☐ A conference on expanding minority group employment opportunities in law enforcement careers, attended by police administrators, personnel specialists, academics, and public interest group representatives.

**Publications.** Technical assistance publications distributed to law enforcement agencies and personnel included:

- ☐ A training manual for non-Federal probation officers;
- ☐ A manual on long-range planning for the criminal justice system;
- ☐ Organized crime manuals on sources of information for investigators;
- ☐ A manual on guidelines and standards for community treatment centers and halfway houses;
- ☐ A tax manual relating to the use of State revenue statutes in organized crime cases;
- ☐ Resource materials for the development of work re-



Treatment was provided for narcotics addicts under the Narcotic Addict Rehabilitation Act (NARA), and other rehabilitation programs were conducted for addicts who did not qualify for the NARA program.

Aid to State and local correctional institutions was provided, including jail inspection services, training of prison guards, assistance in jail planning and development, and technical assistance.

The Bureau was involved in studying and implementing prison reforms on both the national and international level.

Construction was begun on new jail facilities, including a specialized treatment facility for violent and emotionally disturbed offenders.

**Inmate population.** From June 30, 1970, to June 30, 1971, inmate population of Federal correctional institutions increased from 21,200 to 21,410. Longer sentences being imposed by the courts and the increase in the number of prisoners committed for violent offenses lead to the expectation that the prison population will continue to increase. The number of prisoners committed for rape, homicide, robbery, assault, kidnaping, and other crimes of violence increased from 11.2 percent of those committed in FY 1961 to 20.2 percent of those committed in FY 1971.

**Staff training.** The Bureau opened the first of five planned Regional Staff Training Centers in March 1971 in El Reno, Okla. Professional training in correctional techniques at introductory and refresher levels will be provided for staff personnel. Plans call for opening a second Staff Training Center at the Federal penitentiary, Atlanta, Ga., and a Conference Training Center in the Washington, D.C., area in the next year. The staff training centers are structured to provide training for State and local correctional personnel as well.

A national recruitment program to bring into the prison service qualified personnel is being conducted by the Bureau. Advertisements in newspapers and professional publications have brought results. In FY 1971, 95 college students participated in a summer internship program planned to produce potential recruits.

In most of the Federal institutions a team of staff specialists has been assembled to develop methods of evaluation of incoming prisoners in order to establish correctional goals. The teams include 150 correctional officers who have been trained and function as correctional counselors.

Correctional counselors are also the prime treatment agents for inmates of the Robert F. Kennedy Youth Center, Morgantown, W. Va., which was opened in January 1969. The counselors there work under the supervision of the cottage supervisor and a professional psychiatrist or psychologist attached to each cottage. The Center has

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Robert F. Kennedy Youth Center, Morgantown, W. Va., provides a community-like setting for young offenders.

prisoners are a drawback to inmates. The Bureau has established schools throughout the prison system to improve the capabilities of prisoners to earn a living after release. The Bureau's major education goals for the 1970's are to assure that all inmates leaving the prison system will be able to read at least at the sixth grade level and that those having at least average intelligence will have a high school equivalency certificate upon release.

Inmates are given courses in literacy training, elementary and secondary studies and General Education Development (GED). In FY 1971, more than 2,100 prisoners passed the GED test.

The school system employs 360 full-time staff members, double the number in 1965.



The Federal Reformatory at El Reno, Okla., conducts an employment opportunity program for inmates about to be discharged.

Project NewGate, first established at the Federal Youth Center at Ashland, Ky., is a college preparation program funded by the Office of Economic Opportunity (OEO). Eighty percent of those enrolled graduated from the Ashland program; 40 percent are now employed full time, and 35 percent are enrolled in colleges and universities or attending vocational training schools. In addition to the Ashland facility, NewGate programs also operate at the Federal Youth Center, Englewood, Colo., and the U.S. Penitentiary at Lewisburg, Pa.

Prison inmates are afforded opportunities to develop work skills under the Bureau's adult basic education program, which offers courses in welding, auto mechanics, machinery shop, masonry, small engine repair, building trades, and food service training. Some are taught computer operation at Leavenworth, automated data processing at the Federal Reformatory for Women, Alderson, W. Va., and health service professional training at the U.S. Medical Center for Federal Prisoners, Springfield, Mo.

**Funding.** Funds for the vocational training of prisoners come from the profits of Federal Prison Industries, Inc. (FPI), a Government-owned corporation that sells all its products to other Federal agencies. The corporation employs about 4,560 inmate workers in 50 shops located in 22 Federal institutions. Twenty-six Employment Placement Officers, financed by FPI, help released inmates to find civilian jobs.

**Health care.** Care of the health of prisoners is an impor-



Keypunch instruction is among the vocational programs at the Federal Reformatory for Women, Alderson, W. Va.

professionals and technicians, operating under the Bureau's Division of Health Services, gives inmates in Federal institutions health care substantially on a par with com-

fessic..... , ..  
psychiatrists, psychologists,  
commissioned officers of th  
who spend at least one 2-  
institutions



Drug program. An important treatment program assists inmates who are narcotic addicts. Under title II of the Narcotic Addict Rehabilitation Act of 1966 (NARA), Federal offenders who are addicts may be committed to the custody of the Attorney General to receive special treatment.

The NARA program comprises two phases: the first takes place in the institution where the addicts receive intensive counseling; the second is post-release when the offender is required to participate in community aftercare treatment programs designed to prevent relapse into use of narcotics.

The Bureau's NARA institutional treatment facilities are in five institutions: Danbury, Conn., Terminal Island, Calif., Alderson, W. Va., Milan, Mich., and La Tuna, Tex. Since the program started, some 800 inmates have been treated at these institutions. More than 380 releasees are provided community aftercare treatment by more than 50 private organizations under contract to the Bureau.

In FY 1971, the Bureau began a drug abuse program for inmates who have a history of drug problems but do not qualify for treatment under NARA. Drug abuse facilities are being established at Lewisburg, El Reno, Petersburg, Va., Terre Haute, Ind., and Lompoc, Calif. Additional treatment facilities are planned at Forth Worth, Tex., where the Bureau has acquired the Clinical Research Center from the Department of Health, Education, and Welfare (HEW). The Center will be a 500-bed medical and correction facility for special offender groups.

**Work-release programs.** Since work and study release programs were authorized by the Federal Prisoner Rehabilitation Act of 1965, approximately 8,000 inmates of Federal penal institutions have participated in the work-release program and their earnings have exceeded \$7.3 million. From these earnings they have paid institutions for room and board, paid Federal and other taxes, accumulated savings to be withdrawn on release, and helped support dependents, taking many of them off welfare rolls.

**Community services.** The Bureau presently contracts with 61 correctional and other facilities in 41 cities that operate community-based programs for offenders. Federal inmates receive services from these facilities at the rate of about 500 per year.

Community-based services are one of a number of operations supervised by the Bureau's Community Services Division. Jail inspection and technical assistance are other functions of the Division. The Bureau contracts with approximately 800 State and local correctional facilities for the temporary housing of individuals awaiting trial, transfer to designated Federal institutions or serving short sentences. On an average, these facilities house some 4,800 offenders.

**Jail inspection.** To assure that the contract jails meet the Bureau's standards, 12 inspectors are assigned full time. Basic problems limiting the effectiveness of jails are antiquated facilities, lack of funds, inadequate staff, and lack of staff training. During FY 1971, the Jail Inspection



Federal Prison Industries machine shop at the Federal Reformatory, El Reno, Okla.

Section encouraged and aided reforms which have resulted in a better balanced diet, improved sanitation and hygiene, and other changes that have made prison living more humane.

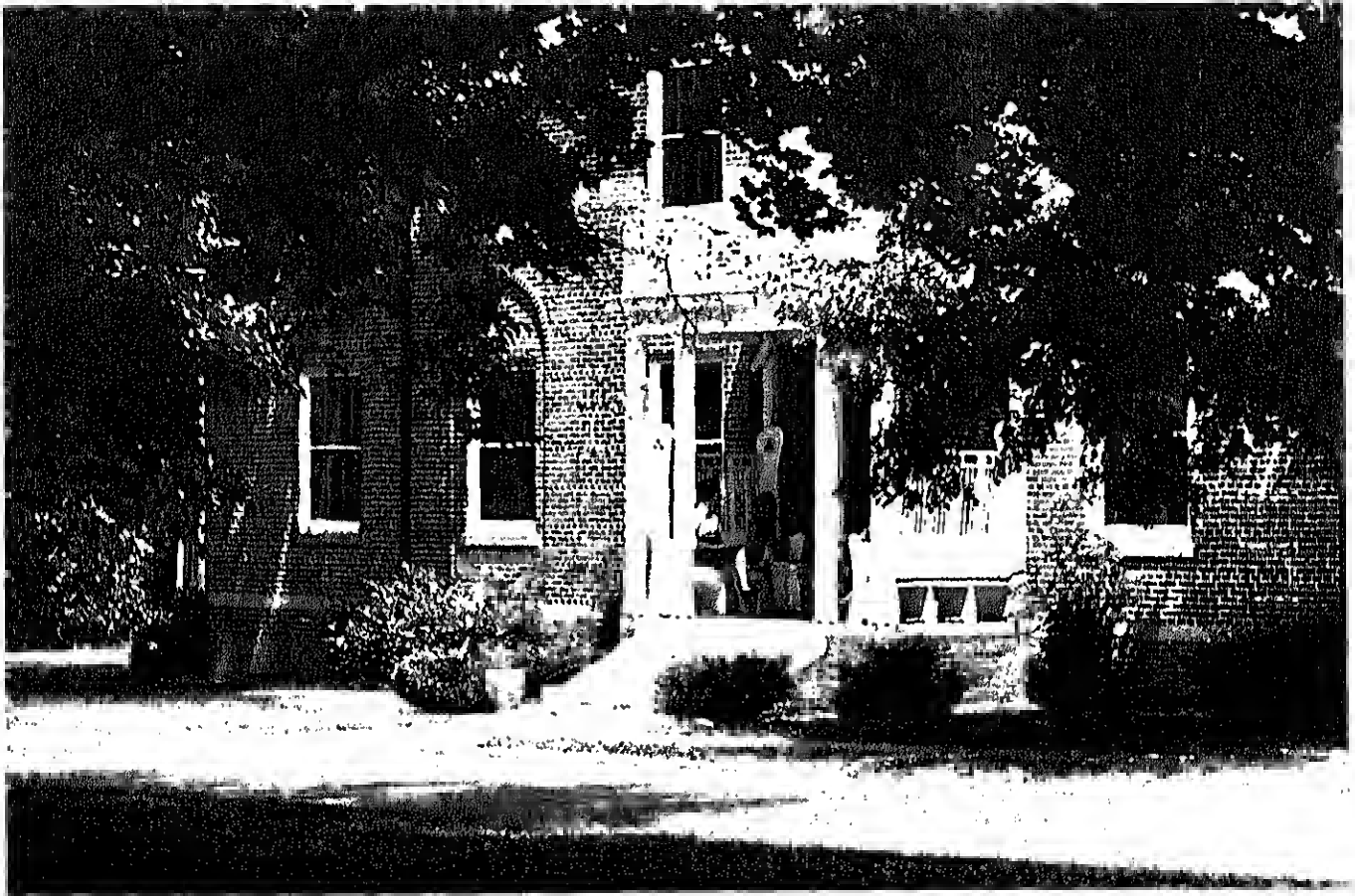
The inspectors also conducted in FY 1971, 119 on-site classes for approximately 1,000 local jail employees and provided guidance to 28 jail administrators.

Twenty-eight States have some form of statewide jail inspection service. The Bureau endeavors to cooperate with the State agencies in upgrading the State correctional facilities and procedures for housing and caring for offenders. Special emphasis is placed on training personnel, and for those not available for on-site courses, self-study



Department of Justice (including the Department of Labor), participants on the Council are the Departments of Labor, Housing and Urban Development, and Health, Education, and Welfare; the Administrative Office of the U.S. Courts; the Office of Economic Opportunity; and the U.S. Civil Service Commission.

The Council develops recommendations on national policies and priorities in corrections, and strategies and mechanics to implement the recommendations.



Honor residential quarters at the Federal Reformatory for Women, Alderson, W. Va.

courses in jail operations and management are provided many State and local correctional employees. Under a grant from the Law Enforcement Assistance Administration (LEAA), the Bureau and a University of Wisconsin staff spent 2 years revising this training material.

**Technical assistance.** Technical assistance to State and local correctional institutions was authorized by P.L. 90-371, enacted in 1968, and funds for assistance in jail planning and program development were authorized in part E of the Omnibus Crime Control Act of 1970 (P.L. 91-644). Since FY 1970, the bulk of the Bureau's technical assistance has been furnished in collaboration with LEAA, which administers and finances the advisory program. The Bureau contributed its correctional expertise and guidance. Bureau specialists serve on the staffs of LEAA Regional Offices, of which three new ones were opened in FY 1972, raising the total to 10.

While active in movements for domestic correctional reforms, the Bureau also is involved in reforms on an international scale. An executive from the Bureau's central office is assigned as Bureau liaison with the Department of State and the United Nations in matters relating to the international program of crime prevention and treatment of the offender.

**Construction and renovation.** Construction of new facilities and renovation and modernization of existing institutions is a key component of the Bureau's 10-year plan to improve corrections. It has enlisted the aid of a national advisory panel of business leaders and professionals to serve as consultants for the construction.

Since experience has shown that security, care, and rehabilitation programs operate with limited effectiveness in large institutions, new institutions are planned to provide facilities for 500 or fewer inmates. The new institutions will be located near urban centers where easy

access to courts, medical facilities, and other resources will be available.

The Bureau has selected eight metropolitan areas where needs are most pressing in which correctional centers intended to replace traditional jails will be built. The first of these centers is planned for completion in mid-1973 in New York, N.Y. It is designed to house 450 inmates and will have facilities and programs for adults, youths, women, and some immigration law violators.

Sites are being selected for correctional centers in Chicago, San Francisco, San Diego, and the Philadelphia-New Jersey area. A site is also being selected for a West Coast Youth Complex to house 1,000 youthful offenders.

Development of a Behavioral Research Center at Butner, N.C., is in progress. This will be a specialized institution where treatment approaches for violent and emotionally disturbed offenders will be developed and research into extreme deviant behavior will be conducted. When completed, the Center will serve as a treatment center for the mentally disturbed and violent offender, for correctional research, and staff training for professional and administrative personnel from Federal, State, and local levels.

**Information system.** Improvement of the Bureau's information system was a project in FY 1971. Computer-based programs are being designed for accounting, personnel, research, telecommunications, industrial, education, and training activities. Pilot telecommunications terminals are being installed at Alderson, Leavenworth, Morgantown, and Lewisburg, as the first phase of a network that will link all of the Bureau's institutions to the Department of Justice.

**Prisoner litigation.** An upsurge in litigation brought by prisoners against the Government brought added work and responsibilities to the Bureau's legal section, which was expanded in June 1971 into the Office of General Counsel and Review. As a result of enactment of P.L. 91-538, which became effective March 9, 1971, it became easier for inmates to contest the validity of administrative procedures and basic policies, involving such matters as good time forfeiture, regulations relating to physical appearance, publications by inmates, access of reports to specific inmates, and attorney-inmate correspondence.

**Improved security.** In the interest of maintaining discipline and security, existing staff have been reassigned to strategic custodial posts and improved security devices have been installed in major institutions. Improved disci-

The need for improving the Bureau's existing facilities is estimated at \$12.2 million for FY 1972, compared with \$5.8 million obligated for FY 1971. More than \$4.1 million was requested in FY 1972 for planning and site acquisition for the Metropolitan Correctional Centers in San Francisco, San Diego, and the Philadelphia-New Jersey area. Construction funds were also requested for FY 1972 for the Behavioral Research Center at Butner, the Chicago Metropolitan Correctional Center, and the West Coast Youth Complex.

## Immigration and Naturalization Service

The exclusion and deportation of alien criminals is one of the functions of the Immigration and Naturalization Service (INS) of the Department of Justice.

Organized crime figures, narcotics and dangerous drug traffickers, smugglers of illegal aliens and contraband, and subversives are among those falling within the investigative responsibility of INS.

Congress has denied admission to the United States and permission to travel or reside in the United States to certain classes of persons, including persons with criminal records or backgrounds. It is the duty of INS to enforce those laws.

**Crime reduction programs.** INS conducts five programs for the reduction of crime. They are:

- (1) Denying entry to the United States to persons in classes excluded by Congress, including persons with criminal or narcotics records;
- (2) Detaining and deporting persons illegally in the United States;
- (3) Maintaining records on all aliens admitted to, and excluded from, the United States, as an aid to law enforcement;
- (4) Investigating the status of aliens to identify those engaged in organized crime, narcotic, subversive, fraud, and other criminal activities; and
- (5) Operating the Border Patrol to guard the borders of the United States against illegal entrance, narcotics and drug traffickers, smugglers, and other persons engaged in criminal activities.

**Mission.** The Immigration and Naturalization Service administers and enforces the immigration and nationality laws relating to the admission, exclusion, deportation, and naturalization of aliens. It investigates alleged violations of these laws. It patrols the borders of the United States to prevent illegal entry. It cooperates closely with all law enforcement agencies.

and naturalization, with the administration and enforcement of these laws.

**FY 1971 resources.** The FY 1971 outlay for the accomplishment of the five enforcement programs enumerated above totaled \$97,783,500. In FY 1970, the comparable expenditure was \$84,896,000; in FY 1969, it was \$72,087,000.

Total personnel involved in these five programs in FY



The Immigration and Naturalization Service Border Patrol checks vehicles entering California from Mexico.

1971 was 5,836; in FY 1970, 5,595; and in FY 1969, 5,324.

**Criminal prosecutions.** Criminal immigration violations during FY 1969, FY 1970, and FY 1971, detected and investigated by Border Patrol agents and investigators, totaled 949,200. Of this number, 912,909 were closed by waivers authorized by various U.S. attorneys. Of the 36,291 violations of the immigration and nationality laws presented to U.S. attorneys, prosecution was authorized in 21,620 cases. During these fiscal years, 21,328 cases were disposed of, with 19,430 defendants being convicted. The actual, suspended, and probationary sentences imposed totaled 13,375 years and fines of \$883,121. Sentences of 7,776 years and fines of \$258,900 were suspended, leaving actual sentences of 5,599 years to be served and actual fines of \$624,221 to be paid.

**Magistrates speed cases.** INS prosecution efforts were significantly enhanced during FY 1971 as a result of a number of additional appointments under the Federal Magistrates Act of 1968. In consequence of the magistrates' expanded trial jurisdiction over minor criminal offenses, it is now possible to try many first offenders and minor

violators in magistrate court for posed to felonies.

## Admission

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sign Quarantine Program of the Public Health Service, the Plant Quarantine Division of the Department of Agriculture, and the Division of Inspection and Control of the Bureau of Customs.

## Deportation

INS is responsible for the departure and deportation of aliens illegally in the United States. Aliens who violate the criminal statutes of the United States, including narcotics violations, or engage in immoral activity, are among those subject to deportation.

During FY 1971, emphasis was placed on the prompt removal from the United States of aliens of the criminal, immoral, and narcotic classes. In FY 1969, there were 444 such cases. The number increased to 488 in FY 1970. For FY 1971, the figure grew to 527.

The number of violators of narcotics laws who have been deported continues to increase. In FY 1969, there were 155 such cases. There were 202 alien narcotic violators deported in FY 1970. The number grew to 232 in FY 1971.

In addition to those aliens removed under formal orders of deportation, there were 69 aliens of these classes whose departure was enforced prior to an order of deportation, amounting to a total of 596 aliens removed.

The Service has also continued an intensified liaison with Federal, State, and local jails holding deportable aliens who are serving sentences, so that immediate deportation could be effected upon their release.

Some typical examples of aliens of the criminal, immoral, or narcotics classes follow:

**Convicted extorter.** Frank Michael Silvestro was deported to Canada on August 3, 1970. Silvestro, a native and citizen of Canada, was reportedly involved in book-making, gambling, narcotics, and counterfeiting in Canada. In 1969, he was convicted and sentenced to prison for the crime of extortion in that country.

Silvestro entered the United States on July 29, 1970, to attend a party at which there were more than 350 persons, among whom were some reputed to be top organized crime figures. The party was held to raise money for the criminal defense fund of a person under indictment for jewel theft and jury tampering. Officers of the INS apprehended Silvestro as he left the party, and he was jailed in lieu of \$10,000 bond, which was subsequently posted. At his deportation hearing on August 3, 1970, he was charged as an alien who was excludable at entry by virtue of his extortion conviction, which he concealed from

they were deported to France for violation of U.S. narcotics laws. On January 29, 1970, they surreptitiously re-entered the United States. They were almost immediately arrested by the Cheltenham, Pa., police. They were charged with a violation of the Drug, Device, and Cosmetic Act (possession of marijuana). Following conviction on these narcotic charges and for illegal reentry after deportation, the DeBarges were fined and given suspended sentences. They were again deported to France on September 12, 1970.

**Accused of murder.** Arnoldo Alvarado-Rendon was turned over to Mexican police officials at Brownsville, Tex., on September 12, 1970. Those officials had sought the assistance of INS when the subject, who was accused of murder in Mexico, fled to the United States. After an investigation of some 3 months, he was located by INS officers and admitted committing the murder for which he was accused.

## Records and Central Index

INS maintains immigration and naturalization records, including a central index containing the names of all aliens admitted to or excluded from the United States. The index contains the names of sponsors of record, if any, and other relevant information required as an aid to the proper enforcement of the immigration laws. The index is maintained pursuant to section 290 of the Immigration and Nationality Act, "for the use of the security and enforcement agencies of the United States Government."

In FY 1971, INS received 100,000 requests for record checks and file reviews, a 5 percent increase over FY 1970.

## Investigating the Status of Aliens

Aliens involved in organized crime, narcotics, subversive activities, and a wide range of other criminal activities, fall within the investigative scope of INS.

A description follows of the authority under which the INS carries out this responsibility, the methods by which it does so, results of investigations, and the specific areas of priority and normal concern.

**Inadmissible aliens.** Section 212 (8 U.S.C. 1182) of the Immigration and Nationality Act covers the 31 categories of aliens who are inadmissible to the United States. Among these are aliens who have been convicted of a crime involving moral turpitude, those who have been convicted of a narcotic or marijuana violation, and those believed to be, or to have been, illicit traffickers in such drugs.

**Deportable aliens.** The 18 deportable classes of aliens are covered in section 241 (8 U.S.C. 1251). Among these are aliens convicted of violation, or conspiracy to violate, laws or regulations relating to illicit possession or traffic in narcotics or marijuana.

investigative authority. Authority to investigate aliens, or persons believed to be aliens, stems from section 287 (8 U.S.C. 1357), as does the authority to make arrests for felonies which have been committed in violation of the immigration laws. The primary responsibility of investigators is the investigation, apprehension, and administrative prosecution of such violators. They work closely with other law enforcement agencies in the apprehension of persons who are subject to INS jurisdiction.

**Interagency cooperation.** Investigators and other INS officers worked closely during the fiscal year with other law enforcement agencies. Specifically, INS cooperated with the United States Secret Service in matters affecting the protection of the President and other officials; with the Federal Bureau of Investigation in matters of mutual concern; with the Criminal Division of the Department of Justice in matters relating to organized crime; with the office of the United States representative to INTERPOL; with the Royal Canadian Mounted Police in matters relating to aliens engaged in international crime; with the Department of State in passport and visa frauds; and with the Department of Labor in labor certification frauds.

## Results of Investigations

During FY 1969 through FY 1971, INS investigators completed 472,995 cases, which included criminal, subversive, fraud, immoral, narcotic, and area-control illegal status investigations. A total of 266,589 deportable aliens were located by investigators, and were allowed to depart at their own expense in lieu of formal deportation.

**FY 1971 deportations.** During FY 1971, 12,618 investigations involving persons of the criminal, immoral, and narcotic classes were completed. Applications for Orders to Show Cause in deportation proceedings were made in 1,716 of the cases investigated and 527 aliens of these classes were deported.

## Organized Crime

INS gives top priority to the Federal effort against organized crime.

It is represented on the organized crime strike forces of the Department of Justice; it takes affirmative and appropriate action against criminals and racketeers involved in syndicated crime; and it moves against major criminal residents of the United States when and as appropriate.

Reports on INS activities in this area follow.

**Strike forces.** INS has representatives on the Department of Justice organized crime strike forces operating in major cities throughout the United States. Through this means, and through direct liaison, INS exchanges information with other law enforcement organizations at Federal,

State, and local levels in the enforcement of the immigration laws. At the close of FY 1971, there were 16 investigators assigned on a full-time basis to the various strike forces.

**Syndicate criminals.** INS implements the program of the Organized Crime and Racketeering Section, Criminal Division, Department of Justice, by taking every possible action against criminals and racketeers involved in syndicated crime. Extensive INS investigations are conducted to collect background information, determine amenability to INS action, and enforce the deportation and denaturalization provisions of the Immigration and Nationality Act, where appropriate, in the cases of all persons known to be of interest to the Organized Crime and Racketeering Section.

During FY 1971, 215 reports of completed investigations were furnished that Section.

**Major criminal residents.** INS gives priority to the investigation of major criminal residents of the United States who may be subject to INS action.

During FY 1971, the departure from the United States of two aliens within this program was enforced. At the close of FY 1971, 18 cases were under investigation.

## Internal Security

Continued emphasis was placed on the INS antisubversive program designed to identify foreign-born subversives and develop evidence upon which to institute exclusion or expulsion proceedings, and to deny, where warranted, benefits under the immigration and nationality laws.

During FY 1971, 3,154 investigations concerning possible subversives were completed under this program. There were 14 cases within this program under active consideration at the close of FY 1971.

## Caribbean Criminal Program

INS has for the past 10½ years collected information and maintained a specialized index covering the identities of non-Mexican Latin Americans of the criminal, immoral, narcotic, and subversive classes, for use in the enforcement of the immigration laws. The index, accessible 24 hours a day, is maintained at Miami, Fla. It is augmented by a constant flow of INS reports and reports from other Government agencies.

The index has grown to 209,900 with 2,200 new refer-

refused clearance for travel in the United States from Cuba by means of the Cuban Airlift because of findings under this program.

## Frauds

Investigations completed during FY 1971 that involved possible fraudulent activities in attempts to circumvent the immigration laws numbered 12,770. A continuing pattern was disclosed involving use of altered or fraudulent passports, nonimmigrant visas, and immigration documents, as well as "sham" marriages to United States citizens or permanent resident aliens to evade labor certification or numerical limitation requirements or to obtain benefits the aliens were not entitled to under the law. Additionally, frauds in applications, or required documentation, for labor certifications were frequently encountered.

**Fraudulent Document Center.** An important adjunct to Service operations to combat false claims to United States citizenship is the Fraudulent Document Center at Yuma, Ariz. This facility, established in 1958, now contains almost 30,000 cross index references to documents presented by Mexican aliens in support of such false claims.

Since 1962, each successive year has recorded an increase in the workload at the center, with the volume now running more than four times that of a decade ago. The 4,298 new cases received and processed in FY 1971 represent a 10 percent increase over the last fiscal year, and inquiries for record checks rose 15 percent to 5,399. The facility was able to relate the subjects of the inquiries to information on file and provide affirmative or positive responses in more than one in every five inquiries.

## Area Control of Illegal Aliens

This program involves searching out violators of the immigration and nationality laws throughout the United States. During FY 1971, there were 86,552 aliens located as a result of investigations.

Control operations were largely concentrated in the industrial areas with emphasis on the location of deportable aliens who were displacing or seeking to displace American labor.

**Virgin Islands.** A 4-month investigations operational detail in the Virgin Islands resulted in the location and removal of nearly 8,000 aliens who were not authorized to work there. This activity, conducted with the cooperation of the Virgin Islands Government, temporarily overcame a problem of illegal entry and employment in the Virgin Islands and should serve as a deterrent to future violations.

## Coastal Control of Illegal Entrants

This activity is directed at the prevention of illegal entry by deserting crewmen and stowaways. It is carried out in

a coordinated program by investigators, Border Patrol agents, and immigration inspectors. The prompt dissemination of pertinent information by the INS Marine Intelligence Unit, located in New York, N.Y., provided INS officers with current data regarding violation trends and schemes and other factors of tactical importance to the program.

**Few violators.** The effectiveness of these operations as a deterrent to illegal entry by foreign crewmen was evidenced in the comparatively small number of violations encountered. Of more than 2 million alien crewmen permitted to land temporarily in the United States, only 0.5 percent were reported as having willfully failed to depart with their vessels.

**Deserters.** INS officers apprehended 3,600 deserters, and 4,200 alien crewmen violators were deported or required to depart during FY 1971.

## Border Patrol

Protection of the borders of the United States against illegal entrants, narcotics traffickers, smugglers, and other violators of Federal law is the responsibility of the Border Patrol.

Since the abolishment of the Customs Patrol in 1948, the Border Patrol of the INS is the only Federal uniformed organization assigned to work regularly between ports of entry on the land borders of the Nation.

The Border Patrol often works in desolate and primitive surroundings, and it makes use of all manner of transportation, including horse and foot patrols. But it has kept pace with technological developments in law enforcement, and now uses aircraft and sophisticated electronic devices to detect and apprehend law violators.

**FY 1971 results.** During FY 1971, the Border Patrol located 302,517 deportable aliens. This represented an increase of 71,401, or 31 percent, over FY 1970 and the greatest number of deportable aliens located since 1955. The increase alone exceeded total apprehensions for each year from 1956 through 1965.

Included in the total deportable aliens located were 270,800 who entered the United States without inspection, thus committing a criminal violation. An additional 46,510 such aliens were apprehended by other INS officers.

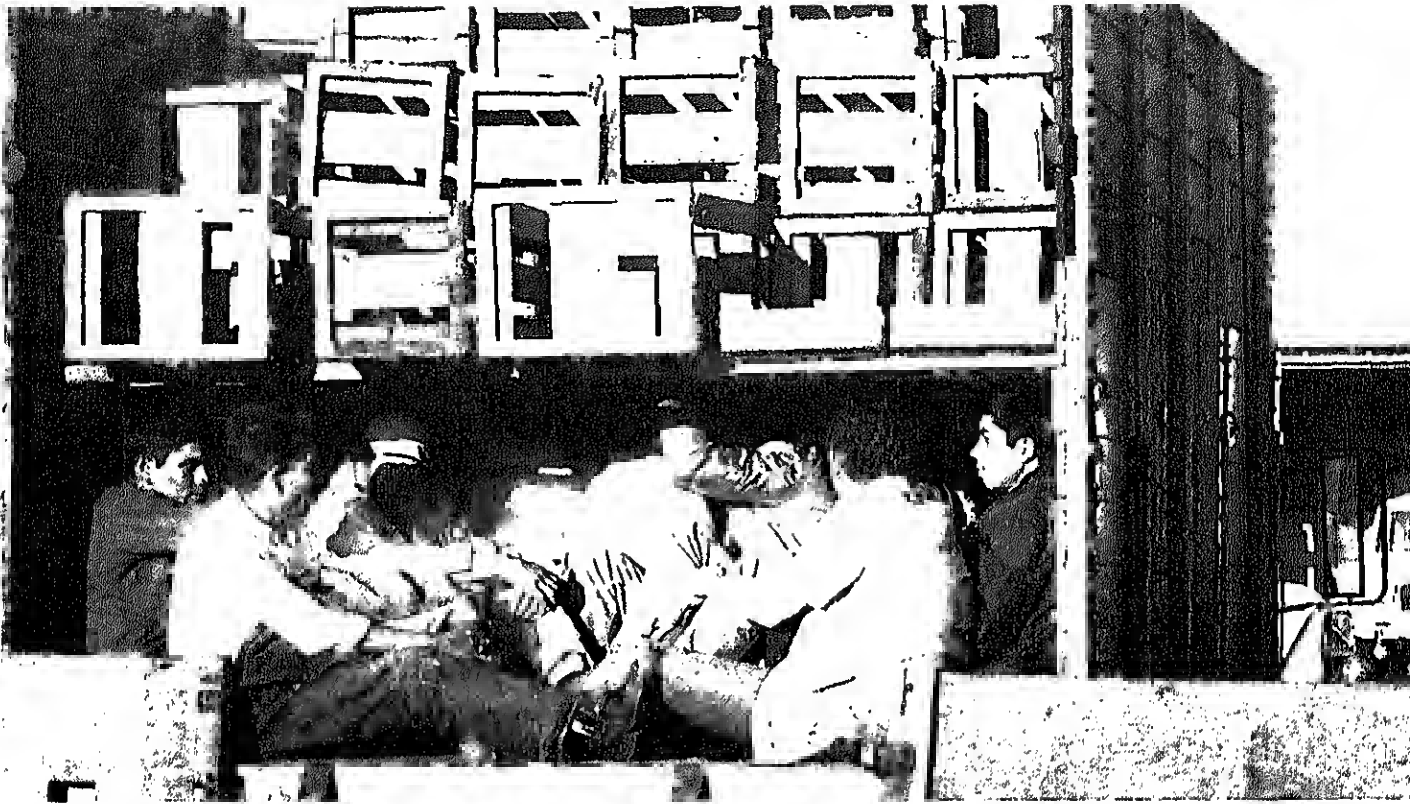
Ninety-nine percent of the entries without inspection entered across the Mexican border. As the major prob-



Some 27,900 deportable aliens were located with the assistance of observation aircraft.

Descriptions of FY 1971 cases involving the use of aircraft by the Border Patrol follow:

**Escaped convicts.** A Del Rio, Tex., observation pilot located, and assisted ground officers in the apprehension of, three escaped convicts who had commandeered a car



Border Patrol agents intercepted this truck which was being used to smuggle 30 aliens, hidden under poultry crates, into the United States.

em of aliens entering the United States without inspection is on the southern border, 81 percent of the 1,564 Border Patrol agents are assigned to the Southwest Region. Eighty-four percent of the aliens apprehended after entering without inspection were found within 30 days after entry.

**Active areas.** The most active areas of illegal entry were Southern California, in the Chula Vista sector, and the El Paso area in Texas. For this reason, the largest concentration of Border Patrol manpower is in these areas.

Electronic intrusion detection devices have proved to be a valuable tool in guarding the some 2,000 miles of land border between the United States and Mexico. Similar devices are used at some points on the northern border, particularly in New England, to alert Border Patrol agents as to traffic over unguarded roads entering the United States from Canada.

and kidnapped its driver at knife point in Oklahoma. The driver escaped and the three convicts abandoned the car near Carrizo Springs, Tex., and stole horses to proceed across country. Located from the air, the three were taken into custody without resistance. One had been convicted of murder and two of burglary in prior offenses.

**Marijuana flight.** Tucson, Ariz., Border Patrol agents received information from an airfield that a small plane heavily loaded—and with a characteristic odor of Mexican-refined gasoline—had just refueled and was about to depart a local airport. One of the sector pilots, airborne some 30 miles north, was contacted. With the assistance of radar approach control personnel at Davis-Monthan Air Force Base, he intercepted the suspect plane west of Tucson and maintained visual contact until relieved by a Bureau of Customs plane west of Yuma, Ariz. The Bureau of Customs plane followed the suspect to a landing at Palm Springs, Calif., where the Bureau of Customs pilot, with the assistance of the local Sheriff's Office, apprehended the pilot and seized 797 pounds of marijuana.

**Alien smuggling.** The volume of alien smuggling activity continued at a record breaking pace in FY 1971, with 3,814 principals located, representing a 16 percent increase over the 3,298 located in FY 1970.

The number of smuggled aliens encountered rose from 18,747 in FY 1970, to 19,765 in FY 1971.

There were numerous commercial smuggling ventures with fees as high as \$150 to \$250 per alien charged for assistance in crossing the border and transportation to agricultural and industrial areas throughout the United States.

Rented vans, campers, and trailers used by smugglers made apprehension more difficult since the use of such conveyances for legitimate purpose has become commonplace in the United States. Small boats, snowmobiles, and automobile transport freight cars were used by smugglers on the northern border, often over little traveled back roads in remote areas of the border during periods of extremely inclement weather.

Since 1965, INS has maintained an Anti-Smuggling Information Center at Yuma, Ariz. Inquiries to the Center resulted in positive information in about 500 instances during FY 1971.

Descriptions follow of typical alien smuggling cases handled by the Border Patrol in FY 1971.

**Fatal winter passage.** A Canadian smuggler tried to guide three Chinese crewmen through a wild, wooded area near Mooers, N.Y., on December 7, 1970, during a snowstorm. The party became lost and spent 2 nights exposed to bitter cold. Two of the Chinese were found by Border Patrol officers wandering around lost in the border area. The third Chinese and the smuggler died of exposure and their bodies were not found until spring thaw on May 12, 1971. The smuggler's clothing still contained some of the \$700 paid to him, although he had burned part of the money trying to start a fire.

**Smuggling fee charged.** Cooperative efforts by Chicago, Ill., and El Paso, Tex., Border Patrol officers resulted in the apprehension of a resident alien smuggler. He was smuggling the aliens across the border near El Paso, then sending them to Chicago by commercial airlines, charging up to \$200 each for his services.

**Detection saves lives.** A semi-trailer was being used to transport 53 smuggled aliens in Southern California. Electronic intrusion detection equipment had alerted Border Patrol officers to the initial border crossings and allowed them time to intercept the truck. The aliens could not have survived more than 2 hours sealed in the airtight refrigerator-type trailer without a fresh supply of air.

**Yachtsman smuggler.** A California yachtsman engaged in extensive alien smuggling between Baja California and the Long Beach, Calif., area, was arrested after considerable investigation and effort. A conservative estimate indicated that he had smuggled more than 700 aliens for a profit of over \$140,000.

**Deportee apprehended.** Officers of the Las Cruces, N. Mex., station conducting traffic checking operations apprehended four illegal aliens whom the smuggler had let out of his car to avoid detection at the checkpoint. The smuggler was also apprehended, and proved to be a former resident alien who had been deported to Mexico in 1968, convicted of murder in Mexico, and had apparently escaped from the Chihuahua, Mexico, State Prison in 1970.

**Agents work undercover.** Nogales, Ariz., officers arrested a United States citizen smuggling six aliens. Interrogation revealed he had contacted another United States citizen accomplice in a bar in Nogales, Sonora, Mexico, and was to be paid after delivery of the aliens in Phoenix by yet another principal. With the concurrence of the U.S. attorney's office, two Mexican-American Border Patrol agents were substituted for two aliens in the load. Upon delivery in Phoenix, after witnessing payment, these officers arrested that principal. Sector officers then presented the available evidence to the Mexican Consul at Nogales, and the accomplice was immediately deported from Mexico and taken into custody by INS for his part in the smuggling.

**Smuggling ring.** After a 2-day surveillance of a rental truck, El Paso, Tex., officers apprehended a 16-year-old Mexican illegal entrant driver and 13 other illegal entrants as they were about to load for the trip to Chicago, Ill. The driver implicated persons in Juarez, Chihuahua, Mexico, as being ringleaders in the smuggling operation. Liaison with Chihuahua Judicial State Police resulted in the arrests and prosecution in Mexico of four more principals. The ring, which had been operating for some time, extended into the interior of Mexico and charged \$200 for each alien.

## Liaison Activities

Cooperation with other law enforcement agencies continued to be active and successful during the past fiscal year. Liaison with local, State, Federal, and foreign law enforcement agencies was emphasized.

Field supervisors throughout the country have instructed at various police schools and academies and have carried on personal contacts to explain the mission of INS and describe the problems and violations of law which are of primary interest to INS.

Courses of instruction in border control and immigration enforcement techniques, as well as field visits, were

provided law enforcement officials from foreign countries in cooperation with the Agency for International Development, Department of State.

**Results.** Positive results from liaison activities are reflected in the 36,214 violators of immigration and nationality laws who were encountered by other law enforcement agencies and referred to Border Patrol officers. Incident to their regular duties, Border Patrol officers encountered and released to appropriate agencies 1,664 violators of other laws, including 695 narcotics law violators, which is an increase of 33 percent over last year.

## Criminal Aliens

The number of encounters with armed and dangerous violators of the immigration and nationality laws, as well as violators of other Federal, State, and local laws, has continued to increase drastically.

During the fiscal year, 90,402 aliens with prior violations of immigration laws were taken into custody by the Border Patrol. Of the aliens taken into custody, 4,220 had prior criminal records. There were 55 persons arrested who were in possession of revolvers or pistols, nine with rifles and shotguns, and 12 with daggers and switchblade knives.

**Canadian gang arrested.** One incident involving criminal aliens was the arrest by officers of the Rouses Point Station of seven members of a notorious Canadian criminal gang in August 1970. Border communities had been plagued earlier in the summer by bank hold-ups staged by hit-and-run bandits believed to be operating out of Canada. Banks at Enosburg Falls and North Troy, Vt., were robbed within 1 week in June, and the bank at Fort Covington, N.Y., was robbed in July.

On August 24, 1970, responding to information that three late model cars had entered the United States illegally via the River Road, Alburg, Vt., and crossed the Champlain Bridge into New York State, three Rouses Point officers intercepted the convoy and arrested the seven Canadian male passengers. All had prior criminal records, most dealing with armed robbery, and one was listed in Canada as one of the 10 most wanted criminals. Two had earlier been sentenced to 15 years and 40 years for bank robbery in the United States. One of these, not considered a regular member of the gang, had allegedly been "imported" from Toronto, Canada, for a specific job. He had only recently been released from prison after serving 13 years.

**North woods shootout.** On October 28, 1970, Border Patrol agents of the Warroad, Minn., Station received a lookout relating to two subjects wanted for robbery, auto theft, rape, and kidnaping. They sighted and pursued the stolen vehicle, amid gunfire, to the Warroad port of entry. The gunfire was returned, with the resulting death of one and the wounding and capture of the other U.S. citizen. The captured fugitive was later convicted in State court on charges of rape, robbery, and kidnaping, and received a long term of imprisonment.



Marijuana (buried in foreground) which was being brought into the United States from Mexico was seized by Border Patrol agents.

## Narcotics

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on the part of Border Patrol agents, the smugglers were unable to use readily available firearms and other dangerous weapons in most encounters. In addition to the some \$5.4 million in narcotics, marijuana, and dangerous drug seizures, contraband and merchandise valued at some \$748,000 were also seized or recovered.

Descriptions follow of typical narcotics and dangerous drug cases handled by the Border Patrol in FY 1971.

**Largest marijuana seizure.** The largest seizure of marijuana occurred north of Nogales, Ariz., on September 9, 1970. Border Patrol agents were checking traffic about 12:30 a.m., when some 1,660 pounds of marijuana were found in a pickup camper. The two U.S. citizens, vehicle, and contraband were turned over to Bureau of Customs agents.

**Border fence penetrated.** Columbus, N. Mex., Border Patrol agents observed two vehicles enter illegally from Mexico through the border fence. One proved to contain 346 pounds of marijuana, and one of the occupants was armed. Principals, vehicles, and contraband were delivered to Bureau of Customs agents.

**Hashish in trunks.** On May 14, 1971, Border Patrol agents were alerted by an Immigration Inspector at Warroad, Minn., that a young woman applying for admission had two trunks destined to another individual. Border Patrol agents placed the suspect, a U.S. citizen, under surveillance until she was picked up by a male U.S. citizen in the town of Warroad. Questioned regarding the trunks, which had been left at the port of entry, the suspects admitted that they had been hired to go to Winnipeg, Canada, and pick up the trunks, which contained hashish, and convey them to California. Examination of the containers disclosed 25 pounds of hashish valued at \$112,000 hidden in the lining. The smugglers were turned over to Bureau of Customs agents for prosecution.

## Criminal Division

Enforcement of all Federal criminal laws is under the supervision of the Criminal Division, except for laws specifically assigned to other Divisions.

The nine Sections of the Division, all under the direction of the Assistant Attorney General, Criminal Division, handle the broad and diversified work of enforcing the Federal criminal statutes.

The Sections are General Crimes, Organized Crime and Racketeering, Narcotics and Dangerous Drugs, Fraud, Management and Labor, Government Operations, Administrative Regulations, Appellate, and Legislation and Special Projects.

The duties and responsibilities of these Sections, and their activities in FY 1971, are described below.

## General Crimes

Supervisory responsibility of the General Crimes Section includes enforcement of statutes relating to the integrity of operations, property and personnel of the Government; to legal processes including obstruction of justice, perjury, prison offenses, and misconduct by those charged with the administration of justice; and to general crimes such as offenses committed in the special maritime and territorial jurisdiction of the United States, anti-riot violations, explosive control violations, weapons control violations, bank robbery, kidnaping, and extortion. It also supervises proceedings under the Youth Corrections and Juvenile Delinquency Acts and matters involving habeas corpus and mental competency.

During FY 1969, FY 1970, and FY 1971 there was a substantial increase in the number of cases and matters supervised by the General Crimes Section. Cases received increased from 1,766 in FY 1969 to 2,859 in FY 1970 and 3,357 in FY 1971. The number of matters received increased even more dramatically, from 691 in FY 1969 to 1,305 in FY 1970 and 2,305 in FY 1971.

**Corruption.** In the performance of its responsibility to investigate and review allegations of corruption involving public officials, the Section developed several significant cases during FY 1971. These included the conviction of a former administrative assistant to the Speaker of the House of Representatives; a former administrative assistant to a Senator; and, on a plea of guilty, a major general of the Army, on charges of unlawfully soliciting gifts from the United States and converting them to his own use.

**Government property and personnel.** Conviction for the theft of Government property totaled 926 in FY 1971, and offenses involving the killing, assaulting, or interference with officials engaged in the performance of official business increased to 291, compared with 250 in FY 1970.

**Aircraft hijackings.** Aircraft hijacking was a serious and costly problem in FY 1971. There were 23 successful hijackings and four unsuccessful attempts. Twenty-eight indictments were returned, two of which resulted in convictions; one was dismissed when the defendant was found mentally incompetent and committed to a State mental institution. Defendants in 16 of the cases were fugitives, and nine cases were awaiting trial at the end of the fiscal year.

**Firearms and bombings.** In FY 1971, more than 1,200 indictments were obtained for firearms violation and more than 1,200 convictions resulted. More than 2,000 r

of bombings and attempted bombings were received and processed by the Section.

**Antiriot statutes.** Several thousand reports of possible violations of the antiriot statutes were reviewed by Section attorneys, including those connected with the "May Day" activities and possible violations of or conspiracies to violate antiriot laws in localities such as Washington, D.C.; Cleveland and Columbus, Ohio; Pittsburgh, Pa.; Michigan; Bloomington, Ind.; Hampton, Va.; Austin, Tex.; New York; and on college campuses.

**Bank robberies.** Violations of the Bank and Robbery Act increased 20 percent in FY 1971 to a total of 2,565 bank robberies, 471 burglaries, and 318 larcenies.

In the area of bank security, the Section developed a new procedure whereby security weaknesses discovered during the course of investigations are pointed out to supervisory agencies. Representatives of the supervisory agencies and the Department of Justice meet periodically.

## Organized Crime and Racketeering

Significant FY 1971 events for the Organized Crime and Racketeering Section included an increase in the number of organized crime strike forces. In accord with the decision of President Nixon to step up the Federal drive on organized crime, the number of such multi-agency teams was increased from seven at the beginning of 1969 to 18 in FY 1971.

The President also formed the Cabinet-level National Council on Organized Crime, and legislation enacted by the Congress provided the Section with new enforcement tools.

Organized crime strike forces are composed of agents and investigators from various divisions and bureaus of the Department of Justice, and other departments and agencies. Each strike force is under the direction of the Organized Crime and Racketeering Section.

**Structure.** Responsibility for supervising the Federal assault on organized crime rests with the Organized Crime and Racketeering Section. The Section is led by a Chief and four Deputy Chiefs, each of whom oversees strike force activity in a specific geographical area.

The Special Operations Unit and the Intelligence and Special Services Unit provide support services. The Special Operations Unit reviews Federal requests for court orders that authorize wiretaps or microphones where the Government shows probable cause to believe the subject of surveillance is committing specific offenses that are a threat to public safety or are especially characteristic

extortinate credit transactions, 23; counterfeiting, 4; interstate transportation of stolen property, 3; theft from commerce and robbery, 2; kidnaping, 1; and obstruction of justice, 1.

**Data facility.** The Intelligence Unit maintains a central data facility related to the operations of organized crime syndicates. It also arranges for the protection of witnesses in organized crime cases who have testified for the Government against individuals alleged to have participated in organized crime activities. More than 100 witnesses have been given protection.

**Strike forces.** Strike forces, which work closely with United States attorneys and Federal investigators in formulating strategy for the drives on organized crime, are located in Baltimore, Boston, Brooklyn, Buffalo, Chicago, Cleveland, Detroit, Kansas City, Los Angeles, Miami, Newark, New Orleans, New York, Philadelphia, Pittsburgh, San Francisco, and St. Louis. A special strike force, using the name "Operation Financier," is based in Washington and is aimed at the financial complex supporting organized crime.

Contributing personnel to these multi-agency strike forces are the Bureau of Narcotics and Dangerous Drugs; the Labor-Management Services Administration of the Department of Labor; the Internal Revenue Service, the Secret Service, the Bureau of Customs, and the Bureau of Alcohol, Tobacco, and Firearms of the Department of the Treasury; the United States Postal Service; and the Securities and Exchange Commission.

**Indictments.** Indictments of 2,122 defendants were obtained in FY 1971; and 679 defendants were convicted, including members and associates of organized crime syndicates, among them 61 high-echelon figures, and others. There were 33 convictions of high-echelon figures in FY 1970.

**Other developments.** Congressional enactment of the Organized Crime Control Act of 1970 was especially significant for the Section. Under title VIII, prohibiting illegal gambling businesses, 45 indictments involving 469 defendants were obtained. One indictment was obtained under title IX, relating to racketeer-influenced and corrupt organizations.

President Nixon, in FY 1971, signed an Executive order establishing the National Council on Organized Crime, under the chairmanship of the Attorney General. The Council immediately began formulating a national strategy for the elimination of organized crime. It coordinates the efforts of Federal departments and agencies to that end at the Cabinet level.

## Narcotic and Dangerous Drugs

The Narcotic and Dangerous Drugs Section supervises Federal prosecutions for violations of narcotic, marijuana, dangerous drug, and controlled substance laws. Its responsibilities extend as well to actions to commit narcotic addicts under provisions of the Narcotic Addict Rehabili-

tation Act of 1966 (NARA) and forfeitures of property used in conjunction with violations of the Federal laws relating to narcotics, marijuana, liquor, controlled substances, counterfeiting, gambling, and firearms.

On May 1, 1971, new legislation relating to control of narcotics, depressant, and stimulant drugs and other dangerous substances, the Comprehensive Drug Abuse Prevention and Control Act of 1970, became effective. The Section prepared a manual analyzing this act and suggesting forms of indictments which was distributed to all U.S. attorneys and other officials concerned with the implementation of the law.

Joint efforts with Mexico to control the illicit narcotics traffic resulted in formulation of recommendations for control and cooperation which were approved by the Attorneys General of both countries in meetings in Washington, D.C.

**Significant cases.** The Section handled a number of significant cases in FY 1971, many involving cooperation with other Federal agencies.

Descriptions of examples of such cases follow.

(1) The Section's Southwestern Unit in San Diego, Calif., assisted the U.S. attorney in complex drug cases involving major violators. In May 1971, the Unit obtained a Federal indictment against 14 persons who were arrested in connection with the largest marijuana smuggling case up to that time: 5 tons were seized when the defendants tried to bring the drug into the San Francisco Bay area from Mexico by sea.

(2) In the Western District of Texas, 90 pounds of heroin were seized when traffickers negotiated a sale to Federal agents; three persons were arrested and convicted in the case.

(3) During the year, the New York Joint Task Force made more than 125 arrests in a drive on middle-level dealers in narcotics, and actively participated in "Operation Flanker," a nationwide crackdown on major heroin dealers, and in "Operation Stitch," a concentrated effort aimed at middle-level traffickers within New York City.

(4) Members of a large-scale cocaine smuggling ring were arrested in the Northern District of Texas. The ring, composed of South Americans and Americans, obtained the cocaine in South America and channeled it into the United States through Panama. A Federal jury in Dallas found three persons guilty.

**Extradition.** Requests to foreign governments for the extradition of 14 persons resulted in the return to this country of six persons for prosecution for violation of Federal laws.

## Fraud

The Fraud Section supervises the enforcement of numerous fraud-related statutes, which, in general, include frauds perpetrated against the Federal Government, violations of the securities laws, embezzlements and misapplications in Federal and federally insured financial institutions, and frauds against individuals and companies involving such matters as fraud in bankruptcy proceedings and use of the mails or interstate wire facilities in fraud schemes.

More than 1,800 convictions were obtained under the fraud statutes in FY 1971.

During July and August 1970, the Chief of the Fraud Section represented the Department of Justice in negotiations in Bern, Switzerland, on a draft treaty of mutual assistance in criminal matters, intended principally to overcome law enforcement problems created by Swiss bank secrecy.

**Significant cases.** The Section developed a number of significant cases during FY 1971.

Two such cases involved the insurance industry. In the first, the Section obtained indictments in Phoenix, Ariz., charging mail fraud for misrepresenting to financial institutions the value of annuities used for collateral to obtain loans. More than \$200,000 was lost when the annuities were found to be worthless.

The second such case involved an attorney and member of the Florida legislature, and others. They were indicted on charges of mail fraud, wire fraud, and violations of securities laws in a scheme to divert more than \$1 million of the assets of a fire and casualty company to their own use. The company was placed in receivership.

In the field of frauds against the Government, a Chicago, Ill., indictment charged 23 members of a street gang, the Blackstone Rangers, with conspiracy and fraudulently obtaining a grant from the Office of Economic Opportunity; in Birmingham, Ala., Southern Airways Company, Inc., and 12 of its employees, were indicted on charges of conspiracy to ship defective and unacceptable 155-millimeter artillery shells to the Army; and in Nebraska, a former official of the U.S. Department of Health, Education, and Welfare, and a former Nebraska director of public welfare were indicted on charges of fraudulently obtaining \$88,500 of State welfare funds by setting up a fictitious consulting firm to obtain a Federal grant for a welfare-related computer program.

Among other important cases during the year, five subsidiaries of Cowles Communications, Inc. entered pleas of nolo contendere to mail fraud charges arising out of door-to-door magazine subscription activities, and were fined a total of \$50,000. In Alabama, two State judges, three disbarred attorneys, two physicians, and others were indicted on charges of mail fraud in a scheme whereby 5,000 innocent out-of-State residents obtained invalid



divorce certificates. Convictions and guilty pleas were obtained and sentences ranging up to 5 years imprisonment were imposed.

## Management and Labor

The Management and Labor Section supervises enforcement of Federal criminal statutes which seek to protect union members and employers by regulating activities of labor organizations. These statutes prohibit interference with interstate commerce by extortion, embezzlement of union assets, improper payments by employers to union officials, and the employment of kickbacks to influence the actions of trustees and agents of welfare and pension funds.

A detailed analysis of these laws, together with sample indictments and jury instructions, was prepared for distribution to U.S. attorneys as a new Labor Racketeering Manual.

The Section also worked with the Office of Labor Management and Welfare Pension Reports, Department of Labor, to develop new techniques for enforcement of the Landrum-Griffin Act, especially the provisions requiring maintenance of adequate records by labor unions.

**Significant cases.** The Section developed a number of significant cases during FY 1971.

Investigation of irregularities in the operation of the United Mine Workers of America (UMWA) was an important effort of the Section during the year. A result was the indictment of the union president and vice president, and of the director of the union's Labor's Nonpartisan League, on charges of conspiring to make illegal political contributions and to convert funds of the union for that purpose. Other UMWA officials were indicted on charges of making false entries in the records of one district and of converting union funds for use in the 1969 election of the UMWA president.

Other indictments and convictions obtained during the year involved violations of the Hobbs Act, laws prohibiting embezzlement of union funds, the Landrum-Griffin Act recordkeeping requirements, and statutes making improper payments by employers to union officials a Federal crime.

## Government Operations

The Government Operations Section is responsible for statutes relating to the Federal Corrupt Practices Act, covering elections and political activities. It also enforces

criminal laws regulating mailing, importation, and transportation in interstate commerce of obscene matters and the civil laws enforcing customs statutes relating to importation of obscene matters.

In the area of obscenity prosecutions, 22 convictions were obtained in FY 1971, 15 in the last 6 months. Among those convicted were two persons regarded as the largest distributors of pornography in the Nation.

The U.S. Postal Service reported that the number of complaints relating to receipt of unsolicited pornography declined from 284,263 in FY 1970 to 168,391 in FY 1971.

Indictments of major commercial distributors of pornography increased from eight on January 1, 1969, to 40 on July 1, 1970, and to 52 on July 1, 1971. During the same period—1969 to 1971—investigations increased from five to 76.

**Corrupt practices.** In the area of election frauds and corrupt practices, a Federal grand jury in Texas indicted 24 defendants on charges of conspiring to cause fraudulent absentee ballots to be cast in a 1970 primary election. Five local election officials were indicted on charges of conspiring to cause fraudulent votes to be cast and counted in the 1970 Illinois primaries.

The conviction of Pipefitters Local Union No. 562 and three of its officers for making illegal political contributions was affirmed by the Court of Appeals for the Eighth Circuit and an appeal was taken to the Supreme Court.

**Efforts against obscenity.** The efforts of the Section to reestablish the Federal Government's role in the obscenity area were enhanced during FY 1971 by the establishment of search and seizure procedures and other investigative techniques which were approved by the courts and which protected the public without infringing on constitutional rights.

## Administrative Regulations

The Administrative Regulations Section supervises enforcement of criminal and civil statutes administered by Federal regulatory agencies.

Statutes concerned with the protection of consumers, conservation and regulation of all modes of transportation, communications, and protection of miners and longshoremens are in the domain of this Section. The Section also supervises international extraditions and legal matters arising under immigration, citizenship, naturalization, and customs laws and the enforcement of miscellaneous criminal statutes such as the White Slave Act and copyright laws.

In the field of immigration and naturalization, the Section received 210 petitions for review of deportation orders in courts of appeals, as well as 105 declaratory judgment actions and 120 miscellaneous actions in district courts.

In the field of extradition, the number of requests increased substantially, largely due to vigorous enforcement of narcotic and dangerous drug laws. Three new extradition treaties were negotiated.

In the field of food and drug laws, 55 criminal cases were terminated by court action, all but two in favor of the Government. Six injunction proceedings and 659 civil cases were concluded as well.

In the field of litigation to enforce transportation statutes, 118 civil penalty cases were terminated and \$26,026 in penalties collected under aircraft safety provisions of the Federal Aviation Act; 18 cases were concluded in favor of the Government, and \$28,981 in fines and penalties collected, under railroad safety laws; and 181 convictions were obtained and fines totaling \$139,643 were collected under motor carrier safety laws.

Significant cases. The Section developed several significant cases during FY 1971. Descriptions of some of them follow.

(1) A 67-count indictment in Baltimore, Md., against five former officials of a meat packing company and two Federal meat inspectors charged the inspectors with accepting gifts and quantities of meat from company officials, and the officials with mislabeling meat, injecting fluid into meat products to increase their weight, falsely placing Federal meat inspection marks on meat, and operating plants without Federal inspection.

(2) In June 1971, the first criminal action under the Federal Coal Mine Health and Safety Act of 1969 was brought with the return of a 24-count indictment at Pikeville, Ky., stemming from an investigation by the Bureau of Mines into an explosion at Hayden, Ky., in December 1970, in which 38 miners lost their lives.

(3) A ship captain and a shipping company were indicted in New York, in February 1971, on charges of transporting 80 wild animals from Africa under inhumane conditions, resulting in the death of 21 animals.

(4) A White Slave Traffic Act prosecution resulted in the conviction of an attorney in St. Petersburg, Fla., for inducing a prostitute to travel from Georgia to St. Petersburg, where larceny charges against her were dropped in return for her agreement to make her services available to the attorney, his law partner, a local prosecutor, and a local magistrate.

(5) In Chicago, Ill., several persons were indicted on charges of violation of the White Slave Traffic Act for

recruiting girls for employment in Saigon, South Vietnam, as dancers and "B" girls and forcing them to work as prostitutes on their arrival in Saigon.

(6) Violations of the Outer Continental Shelf Lands Act in the Gulf of Mexico brought fines totaling \$1,906,000 imposed upon Chevron Oil Company, Shell Oil Company, Humble Oil and Refining Company, Continental Oil Company, and Union Oil Company. The largest fine, \$1,000,000, was imposed on Chevron, which pleaded nolo contendere to 500 counts of a 900-room indictment stemming from an extensive oil spill in the Gulf.

## Appellate

The Appellate Section handles briefs in and arguments before the Supreme Court and courts of appeals for certain cases under the jurisdiction of the Criminal Division.

A new area was added in FY 1971, as the Section for the first time handled cases in courts of appeals for the Organized Crime and Racketeering Section.

The workload of the Appellate Section increased from 1,521 cases in FY 1970 to 1,653 cases in FY 1971, an increase of 9 percent.

Included in the 1971 figure were 777 Briefs in Opposition to Petitions filed in the Supreme Court, representing an increase of 65 over the preceding fiscal year. Contributing to the workload also were an increased number of Briefs on the Merits in the Supreme Court.

The increased workload was registered despite the transfer to the Internal Security Division of the Department of Justice of responsibility for Selective Service cases.

In the area of criminal cases on appeals to courts of appeals, the expanded Court of Appeals Unit reviewed 173 briefs of appellants and 326 Government briefs during the fiscal year.

## Legislation and Special Projects

The Legislation and Special Projects Section continued in FY 1971 to provide supportive material to Members and committees of Congress on important pending legislation.

During the fiscal year, that legislation included the Organized Crime Control Act of 1970, the Comprehensive Drug Abuse Prevention and Control Act, an amendment to the Criminal Appeals Act to expand the right of the Government to appeal from district court dismissals in criminal cases, and the District of Columbia Court Reform and Criminal Procedure Act.

As these bills became law, Section personnel began

distributing memoranda, forms, and guidelines to United States attorneys, strike force personnel, and other Federal agencies concerning such matters as the immunity provisions and utilization of forfeiture provisions of the Organized Crime Control Act, electronic surveillance and juvenile procedures under the District of Columbia act, and implementation of the comprehensive drug act.

A broad new Federal witness immunity statute was added in the Organized Crime Control Act, and an Immunity Unit was established to facilitate the processing of applications for immunity grants under the statute.

In January 1971, President Nixon ordered the Department of Justice to prepare a thorough evaluation of the report of the National Commission on Reform of Federal Criminal Laws, to make an independent examination of the present Federal Criminal Code, and to make recommendations for its reform. To carry out this order, a Criminal Code Revision Unit was established within the Section. Attorneys of the Unit worked with other Department personnel, the House and Senate Judiciary Committees, the American Bar Association, the Administrative Office of United States Courts, the Governors' Conference Task Force on Federal Criminal Law Reform, and other interested parties.

## Internal Security Division

All criminal and civil litigation involving Federal security programs and statutes relating to subversive activities such as treason, espionage, and sedition, is conducted by the Internal Security Division.

The Division is responsible for all Department of Justice internal security functions not assigned to the Federal Bureau of Investigation (FBI) or the Immigration and Naturalization Service (INS). Those functions include enforcing Federal laws pertaining to extremist groups and individuals and to other aspects of security policy, including the Neutrality Act, the Trading with the Enemy Act, and munitions control laws.

In addition, on January 1, 1971, supervisory responsibility over criminal offenses arising under the Military Selective Service Act was transferred from the Criminal Division to the Internal Security Division, giving it administrative responsibility for prosecuting draft cases.

**Coordination.** On March 11, 1971, the President appointed the Assistant Attorney General in charge of the Division as Chairman of the Interdepartmental Committee on Internal Security. That Committee is directed by its charter to "effect the coordination of all phases of the internal security field, except those specifically assigned to the Interdepartmental Intelligence Conference."

The Assistant Attorney General, in the discharge of his responsibility, maintains within the Department of Justice a unit of the National Defense Executive Reserve and, through the Department of Justice Defense Coordinator, prepares plans and programs for use in a civil defense type emergency.

## Special Litigation Section

The Special Litigation Section was established in January 1971 to coordinate all investigations and prosecutions of cases involving organized terrorist and revolutionary activities throughout the country. Between January 1 and June 30, 1971, 37 indictments were returned, charging 97 persons with violations of Federal law. Proceedings were also conducted which resulted in granting immunity to 37 individuals, primarily in bombing investigations. In 21 instances, contempt of court hearings were held after witnesses refused to testify.

## Major FY 1971 Case

An important FY 1971 case, which aroused national interest, was the Pentagon Papers case, in which the Government sought to enjoin *The New York Times*, *The Washington Post*, and other newspapers from publishing a series of articles, based on a 47-volume study ordered by former Secretary of Defense Robert S. McNamara, on United States involvement in the war in Vietnam.

The Special Litigation Section, created in January 1971, participated in the conduct of this and other cases.

**Pentagon Papers.** This case tested the authority of the executive branch to preserve the secrecy of its records against the claim of the newspapers to the right to information, even though the information was obtained by what the Department of Justice contended were unlawful means. It was the contention of the Government that publication damaged the diplomatic activities and military posture of the Nation, thus affecting national defense and jeopardizing international relations.

Lower courts in New York and the District of Columbia reached divergent decisions that did not clarify the issue. The Department of Justice appealed the case to the Supreme Court. The Court ruled on June 30, 1971, that the Government had not met the "heavy burden of showing justification for enforcement" of prior restraint on the publication of documents.

A concomitant of the case was the indictment, shortly after the publication of the articles, of Daniel Ellsberg, a former member of the task force that compiled the study, on charges of having unauthorized possession of classified material and converting the material to his own use. Trial of Ellsberg was pending at the end of the fiscal year.

## Civil Rights Division

Federal criminal statutes which prohibit specified acts of interference with federally protected rights and activities are enforced by the Civil Rights Division.

The Division also enforces laws and Executive orders prohibiting discrimination in employment, education, housing, public accommodations and facilities, and federally assisted programs.

**Growth of Division.** Created after passage of the Civil Rights Act of 1957, the Division has grown steadily to an authorized strength in FY 1971 of 337 employees, 100 of whom are attorneys. The budget also has increased and reached \$5,464,000 in FY 1971.

During FY 1971, the Division became involved in 1,200 new cases in the several areas of its concern. A total of 648 cases were pending at the close of the fiscal year.

**Organization.** The bulk of the work of the Division is litigation, and the Division is organized along correspondingly appropriate subject-matter lines.

Attorneys are assigned to trial sections, of which there are five, each having a particular statute or statutes they enforce. The sections, and the laws they enforce, are:

- ☐ Criminal Section, enforcing the criminal provisions of the post-Civil War civil rights statutes and portions of title I of the Civil Rights Act of 1968;
- ☐ Employment Section, enforcing title VII of the Civil Rights Act of 1964.
- ☐ Education Section, enforcing title IV of the Civil Rights Act of 1964.
- ☐ Housing Section, enforcing title VIII of the Civil Rights Act of 1968.
- ☐ Voting and Public Accommodations and Facilities Section, enforcing the Voting Rights Act of 1965 and amendments of 1970 and titles II and III of the 1964 act.

Additionally, there is an Office for title VI, which is responsible for assisting Federal departments and agencies in coordinating programs and activities, and adopting consistent and uniform policies, practices, and procedures relating to title VI of the 1964 act which prohibits discrimination in programs and activities receiving Federal assistance.

## Federally Protected Rights

Under the post-Civil War civil rights statutes and portions of the 1968 act, the Civil Rights Division is charged with investigating, and where necessary prosecuting, incidents of criminal interference with federally protected rights and activities.

**FY 1971 activities.** During FY 1971, the Division received approximately 16,000 complaints of alleged criminal

## Selective Service Act

When the Division assumed supervisory responsibility over the Military Selective Service Act on January 1, 1971, there were 4,524 cases pending in U.S. attorneys' offices. At the close of FY 1971, the backlog had increased to 5,426.

Criminal cases terminated during the fiscal year totaled 3,144, an increase of 8 percent over the preceding fiscal year. Habeas corpus petitions, on which the Division gives guidance and assistance on questions of law, policy, and procedure, were more than double those of the preceding fiscal year.

Two significant decisions were handed down by the Supreme Court during the year. In *Gillette v. U.S.*, 401 U.S. 437 (1971), the Court held that conscientious objector classification provisions provided for under the act for registrants who oppose "participation in war in any form" applies to them only if they oppose participation in all wars, not to those who object to participation in a particular war, even if the objection is religious in character. In *Ehlert v. U.S.*, 402 U.S. 99 (1971), the Court held that local draft boards are not required to give consideration to conscientious objector claims filed after the mailing of an order for induction.

**Amendment.** In cooperation with the Selective Service System, the Division proposed an amendment to part 1632 of the Selective Service Regulations rescinding the provisions authorizing transfers for induction. The amendment, which became effective March 10, 1971, is designed to preclude transfers by registrants for induction to other local board jurisdictions, and thereby to maintain jurisdiction over a delinquent registrant in the local board of origin. As a result, venue for prosecution of delinquents will remain in the judicial district in which the local boards are located, thus preventing the clogging of trial court calendars in districts believed to be favorable to those seeking to evade induction.

**Memoranda.** More than 300 memoranda recommending for or against appeal, certiorari, or hearing en banc were prepared by the Division in connection with adverse decisions in Selective Service cases. U.S. attorneys were assisted in some 3,000 instances in court cases and matters connected with enforcement of the act.

## Other Cases of Note

Two defendants were indicted in a sabotage case involving the attempted aerial bombing of the Badger Army Ammunition Plant in Wisconsin. The defendants were fugitives and were believed to have fled the country.

(1) A series of prosecutions was undertaken resulting from the "People's Park" disturbances in Berkeley, Calif., in 1969, during and after which one person was killed and several injured.

(2) Investigation in Tennessee led to the trial of State and county law enforcement officers for soliciting payments from individuals in return for dropping charges against them. Five officers were convicted.

(3) Assistance in presenting evidence to a grand jury in Madison, Wis., led to indictments against four individuals on charges of conspiring to deny individual rights by bombing the Mathematics Research Center at the University of Wisconsin. One man died and three others were injured in the blast. The defendants remained at large at the end of the fiscal year.

(4) Investigation of a racial bombing incident in Texas resulted in criminal proceedings against two men who had bombed 36 school buses. Both were convicted and were sentenced to 11 years in prison and fined \$11,000.

Other cases filed during FY 1971 included those involving the shooting deaths of two nationals of Mexico in Los Angeles, Calif.; allegations of murder, woundings, and beatings at two large correctional institutions; and the practices of an attorney who was charged with extracting legal fees from indigents while receiving a salary from the State.

**Training attorneys.** Because of the unique nature of cases that can involve law enforcement personnel as defendants, special training is provided Division attorneys involved in investigation, preparation, and trial of such cases. Each new attorney spends 6 weeks in the office of the U.S. attorney for the District of Columbia. Because that office prosecutes all crimes in the District, Division attorneys receive excellent training and gain an insight into types of problems faced by law enforcement officials in a large urban area with a significant crime problem.

Each of the new attorneys also is required once a year to accompany officers of the Metropolitan Police Department in their patrol car rounds during high crime hours in high crime neighborhoods. The attorneys thus become more aware of the problems faced by police and develop a greater understanding of what can and should be expected of police work.

## Antitrust Division

Protection of the economy from anticompetitive business practices is the responsibility of the Antitrust Division.

Price-fixing, which is illegal under the antitrust laws, and business mergers, which reduce competition in a given market, are the main targets of the enforcement program of the Division. The Division counsels regulatory agencies to take into consideration the factor of competition in making regulatory decisions. Sometimes it partici-

pates in litigation involving the issue of whether an agency regulation conforms to antitrust laws and policies.

The Division utilizes both civil and criminal actions, as appropriate, to enforce the law.

**FY 1971 activities.** In 1971, the Division filed 64 antitrust cases (52 civil and 12 criminal) in U.S. district courts, compared with 59 (54 civil and 5 criminal) in the prior fiscal year. Of the cases filed in FY 1971, 24 involved mergers, 23 challenged price-fixing, and 17 involved monopolization charges. Eight of the merger cases challenged bank mergers.

In FY 1971, 54 antitrust actions (44 civil and 10 criminal) were terminated. Of the 44 civil cases closed, the Government won 42, lost one, and dismissed one. The Government won nine criminal cases and lost one. Fines and damages imposed on defendants in criminal and civil antitrust actions totaled \$847,306.

At the end of FY 1971, 96 civil and 12 criminal antitrust cases were pending, compared with 102 cases (88 civil and 14 criminal) at the end of FY 1970.

Four antitrust cases were filed in the Supreme Court in FY 1971. One appeal was terminated by a decision in favor of the Government.

In support of its mandate to preserve competition, the Division issued 135 civil investigative demands involving suspected unlawful conduct or merger activity. A civil investigative demand is similar to a subpoena and requires a firm under investigation to produce documents relative to the matter being investigated. In FY 1971, the Division began 43 grand jury actions, compared with 26 in the previous fiscal year.

## Anticompetitive Conduct

Descriptions follow of important civil and criminal actions brought by the Division in FY 1971 against anticompetitive business conduct.

**Service stations.** A civil complaint charged that Standard Oil Company of Ohio (Sohio) had engaged in an unlawful combination and conspiracy through a series of written agreements with commission managers who operate Sohio retail stations. The suit challenged agreements providing that the managers would sell gasoline and other service products obtained from Sohio and perform authorized customer services only at prices fixed by Sohio, and that the managers could purchase for resale only products Sohio had approved. The suit asked that Sohio be enjoined from fixing the prices of goods and services and from restricting the products and services the stations could offer for sale.

**Real estate.** A suit filed in Atlanta, Ga., involving price-fixing conspiracies among real estate brokers, charged the Atlanta Real Estate Board with fixing commission rates on the sale of property. The complaint alleged that the Board and its members had agreed to uniform rates of commissions and fees fixed at a noncompetitive level that eliminated price competition among the 950 members of the Board. The suit sought an injunction against continuation of the price-fixing practices.

**Boilers.** Agreements among United States firms to exclude foreign competitors are illegal. In July 1970, the Division filed a civil injunction action against the American Society of Mechanical Engineers (ASME) and the National Board of Boiler and Pressure Vessel Inspectors, charging those organizations with conspiracy to restrain the importation of foreign-made boilers and pressure vessels. Sales of boilers and pressure vessels in the United States amount to more than \$1 billion annually. Among the allegations in the complaint were that the ASME and the National Board refused to authorize use of their seals of approval to qualified foreign manufacturers of boilers and pressure vessels and refused to register such products.

**Insurance.** General Adjustment Bureau (GAB), the largest insurance adjusting organization in the Nation with more than 700 offices in the United States employing 3,500 claims adjusters, was named in a civil antitrust suit filed in New York in March 1971, charging illegal restraint of trade in the business of adjustment and settlement of property damage and insurance claims. The stock of GAB is owned by approximately 170 insurance companies and the suit alleged that GAB had conspired with the shareholders to cause them to utilize its adjusting facilities, boycott independent adjusters, coerce and intimidate agents to channel claims to GAB, and adhere to its billing schedules. The Division charged that the conspiracy eliminated competition among GAB shareholders and denied insureds the benefits of such competition.

**Air freight.** In May 1971, a Federal grand jury in Brooklyn, N.Y., indicted more than a dozen trucking firms in New York and New Jersey on charges of violating the antitrust laws in connection with the delivery of air freight coming into Kennedy International Airport from abroad. These cases arose out of the work of the Department of Justice strike force on organized crime. One indictment named an association of air freight trucking firms, 12 of its members, and four officials as defendants on conspiracy charges to allocate customers, impose a uniform surcharge for picking up freight, and boycotting international

charges were Bethlehem Steel Corporation, Kennecott Copper Corporation, and the Aluminum Company of America.

In each case, the complaint charged violation of Section 1 of the Sherman Act by arrangements with suppliers to restrain trade by reciprocating purchases, and violation of Section 2 of the act by using purchasing power to promote sales of products.

## Mergers and Acquisitions

Anticompetitive conglomerate mergers were the target of civil antitrust suits filed against a number of large industrial concerns, among them White Consolidated Industries, Inc.; the Asiatic Petroleum Corporation; and Reynolds Tobacco Company.

In the White case, the object was to prevent a merger with the White Motor Corporation that allegedly would violate Section 7 of the Clayton Act by eliminating competition between White Motor and Allis-Chalmers Manufacturing Company, a firm in which about 25 percent of the outstanding stock was owned by White Consolidated Industries. White Motor, with \$950.5 million in sales and \$558.8 million in assets, was the 118th largest industrial corporation in the Nation in sales and 168th largest in assets in 1969. Also in 1969, White Consolidated ranked 146th in sales with \$767.6 million and 142nd in assets with \$660.1 million.

The suit against Asiatic Petroleum involved its acquisition of C. H. Sprague & Son Company, a fuel oil wholesaler and retailer in New England. The complaint charged that the acquisition of Sprague by Asiatic, one of the Royal Dutch Shell group, violated Section 7 of the Clayton Act by eliminating competition between companies in the fuel oil business.

The Reynolds suit was filed to prevent the tobacco company from acquiring United States Lines, a containerized shipping company operating in the North Atlantic. Reynolds owned a subsidiary called Sea-Land Service, Inc., which was the major competitor of United States Lines. The suit charged that an agreement between Reynolds and Walter Kidde and Company, Inc., owner of United States Lines would, if consummated, violate Section 7 of the Clayton Act by eliminating competition between two containerized operators.

## Bank Mergers

Acquisitions in the banking industry in FY 1971 counted for a major portion of cases brought by the Division. Examples of such cases are set forth below.

On July 8, 1970, the Division commenced an action in Colorado challenging the acquisition by the First National Bancorporation, the second largest banking organization in Colorado, of the First National Bank of Greeley, the second largest bank in Greeley, alleging elimination of potential competition. After a trial on the merits, the U.S. district court held for the defendant. The Department of Justice has appealed.



alleged the elimination of existing competition would result in a monopoly. The merger was abandoned and the case dismissed on July 2, 1971.

## Older Cases Closed

During FY 1971, several cases that had been part of the Division's work load for a number of years were closed. Among them were *United States v. General Tire & Rubber Company*; *United States v. American Standard, Inc.*; and *United States v. Atlantic Richfield Company*.

The General Tire & Rubber Company case was a civil antitrust suit filed on March 2, 1967. It was concluded on August 24, 1970, by a consent judgment which prohibited the company and three subsidiaries from entering into reciprocal purchasing agreements with suppliers.

A consent judgment entered in Pittsburgh, Pa., on April 15, 1971, concluded a civil suit filed on October 6, 1966, against American Standard, Kohler Company, Crane Company, Universal Rundle Corporation, Wallace Murray Corporation, Rheem Manufacturing Company, Borg-Warner Corporation, Briggs Manufacturing Company, and the Plumbing Fixture Manufacturers Association. The suit charged conspiracy to fix prices of enameled cast iron and vitreous china plumbing fixtures. The judgment enjoined the eight companies from fixing prices or agreeing on terms or conditions of sale, or from agreeing to limit, restrict, discontinue, or otherwise refrain from manufacturing any plumbing fixtures.

The civil suit paralleled a criminal antitrust indictment returned at the same time against the manufacturers, eight of their officers, and the trade association. Five manufacturers and five of their officers and the trade association entered nolo contendere pleas. Four of the corporations received maximum fines of \$50,000 and the individuals received sentences of up to 30 days in jail and fines ranging from \$15,000 to \$40,000. Three other manufacturers and three other officers were found guilty by a jury after a 72-day trial. The corporations were fined \$50,000 each and the individuals given sentences up to 60 days in jail and fines up to \$40,000.

By a consent judgment entered on July 28, 1970, Atlantic Richfield was required to sell 2,500 former Sinclair brand gasoline stations in the South and West within 3 years. It was one of the largest divestitures in recent years. The judgment concluded a civil suit, filed on January 15, 1969, which charged that the merger of Atlantic Richfield and Sinclair Oil Corporation would violate Section 7 of the Clayton Act.

## Regulatory Proceedings

During FY 1971, the Division participated in a number of regulatory proceedings involving competitive issues. Among them were the following cases.

- ☐ Civil Aeronautics Board proceedings concerning the proposed merger of American Airlines and Western Airlines;

- ☐ Federal Maritime Commission proceedings concerning a proposed new international shipping conference having unprecedented geographic coverage (the application was withdrawn near the end of the fiscal year);
- ☐ Securities and Exchange Commission proceedings concerning a proposed merger of certain electric power companies in the Northeast;
- ☐ Filing a brief and offering oral testimony in Federal Communications Commission (FCC) proceedings involving carriage of distant signals by community antenna television (CATV) systems;
- ☐ Filing briefs with the FCC supporting proposed rules regulating cross ownership of broadcast and other media serving the same market;
- ☐ Filing comments supporting an open entry policy in an FCC proceeding on the establishment of domestic satellites; and
- ☐ Filing comments with the Federal Reserve Board on its proposed regulations implementing the Bank Holding Company Act Amendments of 1970.

## Land and Natural Resources Division

Criminal and civil litigation involving the largest landowner in the Nation, the Federal Government, is the responsibility of the Land and Natural Resources Division of the Department of Justice.

The Federal Government owns more than 768 million acres, or 34 percent, of the forests, plains, minerals, navigable waterways, and other resources of the Nation. These are protected by a comprehensive system of laws, enforced by administrative, civil, and criminal sanctions.

The Division does not administer public lands or resources. That function is performed by the Department of the Interior, the Environmental Protection Agency, and other departments and agencies responsible for managing and protecting the public domain. But when controversies develop, the Division provides legal services to the involved agencies.

**Refuse Act of 1899.** The main activity of the Land and Natural Resources Division involving Federal law enforcement stems from the criminal sanctions of the Refuse Act of 1899 (Section 13 of the Rivers and Harbors Appropriation Act of 1899, 30 Stat. 1152).

Jurisdiction over criminal actions arising under that statute was transferred on February 11, 1971, from the Criminal Division to the Land and Natural Resources

Division. Administratively, this new work was placed in the Pollution Control Section, which was organized in FY 1971 and given responsibility for both civil and criminal pollution litigation.

The Pollution Control Section, established October 1, 1970, was designed to assist in mounting a litigative attack on pollution based on the 1899 statute and to be available to respond to litigative needs of the impending Environmental Protection Agency, which was established on December 2, 1970.

**Criminal cases.** In FY 1971, the Pollution Control Section initiated 191 criminal actions under the Refuse Act and terminated 163 cases.

**Civil cases.** Enforcement of the Refuse Act through use of civil actions has produced some spectacular legal results for the Pollution Control Section.

In FY 1971, 54 civil pollution abatement actions were initiated, 10 against companies discharging mercury into navigable waters of the United States. The results were immediate and demonstrable. Prior to filing of the suits, some of the companies had been discharging from 20 to 30 pounds of mercury daily. In accord with stipulations entered into with the Department of Justice, the defendant companies reduced their discharges to no more than 8 ounces daily.

Proposals for further reductions required by the stipulations were studied by the EPA to determine whether they were adequate.

Other suits involved such pollutants as cyanide, phenols, sulfite waste liquors, oil, hexavalent chromium, offal, acids, logs and barks, and miscellaneous chemicals and rubbish.

Substantial amounts of money may have to be expended to comply with court orders under the Refuse Act. In the State of Washington, a pulp processing plant is under order to construct a \$22 million waste treatment facility, while a New York automobile assembly plant must install treatment tanks costing more than \$2 million.

## Tax Division

Criminal prosecution and civil litigation to enforce Federal tax laws and Internal Revenue Service (IRS) regulations are the responsibilities of the Tax Division.

The Criminal Section of the Division is an important part of the law enforcement machinery of the department, and in FY 1971 it played a major role in the drive against organized crime.

prepared, upon which the decision of the Section to prosecute or not to prosecute can be based. In FY 1971, more than 750 prosecution memoranda were prepared.

When a decision to prosecute is made, the Tax Division forwards the reports and exhibits supplied by the IRS to the U.S. attorney for the district having jurisdiction. Thereafter, regular reports are required of the U.S. attorney on the progress of the case. The staff of the Criminal Section is in frequent communication with the district attorney to resolve questions of criminal procedure, trial strategy, and Departmental policy.

**Organized crime.** The Tax Division and the Criminal Division coordinate in cases arising from the drive on organized crime. In FY 1971, the Tax Division expanded its cooperation with the antirackets drive by assigning experienced tax prosecutors to work with each of the 18 interdepartmental strike forces in major cities. These specialists participated in the development and prosecution of major cases in Boston, Mass., New Haven and Stamford, Conn., Newark, N.J., New York (Brooklyn), N.Y., Baltimore, Md., Philadelphia, Pa., Detroit, Mich., Cleveland, Ohio, Chicago, Ill., Miami, Fla., Las Vegas, Nev., and San Diego, Calif.

Tax prosecutions encompassed a wide range of occupations. Nonracketeer convictions included doctors, lawyers, accountants, judges, school teachers, druggists, funeral directors, and corporation officials.

Convictions included two Cook County, Ill., deputy tax assessors, the madam of a lucrative New York call-girl service, hoodlums high in syndicated crime operations in New York, New Jersey, and Michigan, a large-scale West Coast dealer and distributor of pornography, so-called "10 percenters" falsifying racetrack winner income reports for a fee, loan sharks in New Jersey and Texas, and two of the operators of the Caliente racetrack in Tijuana, Mexico.

**FY 1971 activities.** At the close of the fiscal year, there were 1,120 new criminal tax cases docketed in the Criminal Section, topping the 1,000 mark for the second successive year. The total docket of pending criminal tax cases, including those in the hands of the U.S. attorneys and those pending in appellate courts was 1,474, a 9 percent increase over FY 1970.

With 119 new racketeer cases received in FY 1971, the racketeer caseload is about 10 percent of the total criminal tax caseload and up 9 percent from last year. Some 35 convictions in racketeering cases were obtained in FY 1971.

The overall success rate in criminal cases was 95 percent of cases prosecuted: Out of a total of 775 defendants, most entered pleas of either guilty or nolo contendere; in 138 cases going to trial, convictions were obtained in 100, for a trial success rate of 70 percent. Sentences imposed totaled 326 years to serve, 471 years suspended, and 1,310 years of probation. Fines totaled \$2,353,258.

**Caseload.** Increasing criminal and civil case activity for U.S. attorneys added to their FY 1971 caseload. Criminal cases filed by the attorneys increased by about 15 percent and civil filings by approximately 8 percent. The U.S. attorneys brought approximately 18 percent more criminal proceedings before Federal grand juries and spent 32 percent more time before grand juries in FY 1971 than in FY 1970. The number of convictions rose accordingly.

Despite the increased caseload, the U.S. attorneys lessened the backlog of cases. Some 13 percent more criminal cases and more than 18 percent more civil cases were terminated in FY 1971 than in FY 1970.

The U.S. attorneys tried approximately 9 percent more cases in FY 1971 than in FY 1970 and spent approximately 30 percent more man-hours in court. Criminal appeals terminations rose by 34 percent and civil appeal terminations by 35 percent.

In the area of obligations due the Government, the U.S. attorneys collected \$94,847,902 in FY 1971, an 18-percent increase over the previous high year, FY 1967.

## Major Convictions

FY 1971 was notable for the conviction of organized crime figures and public officials charged with Federal crimes. Successes were especially noteworthy in the Districts of New Jersey, Colorado, and Northern and Southern New York.

Prosecutions in New Jersey culminated in the conspiracy and kickback convictions in *U.S. v. Addonizio et al.*, and *U.S. v. Kenny et al.* The conspiracy and extortion convictions in *U.S. v. DeCarlo* and *U.S. v. De Cavalcante* struck a blow at organized crime elements in New Jersey.

After passage of the Organized Crime Control Act, the District of Colorado brought to trial eight cases, resulting in the conviction of seven organized crime figures.

In the Southern District of New York, influence peddling indictments were brought against Nathan Voloshen, a lobbyist, and Martin Sweig, an aide to former Speaker of the House of Representatives John W. McCormack. Convictions were obtained in *U.S. v. Voloshen* and *U.S. v. Sweig*. In the Northern District of New York, the indictment of, and subsequent guilty plea by, former U.S. Representative Martin B. McKneally for tax violations was a major case prosecuted by the U.S. attorney's office.

Several U.S. attorneys concentrated their efforts in FY 1971 against the narcotics traffic. Operation Eagle, the Department of Justice-coordinated antinarcotics operation, resulted in a roundup of principals involved in

smuggling large amounts of heroin and cocaine into the United States.

Enforcement of laws involving Federal programs to assist the poor is an obligation of U.S. attorneys. A notable conviction in FY 1971 was that of a defendant in the Central District of California for illegal possession of \$500,000 worth of food stamps.

## Other Activities

Aside from their prosecutive functions, the U.S. attorneys generally are active in many Districts in promoting the involvement of State and local governments in the anti-organized crime program and in the training of law enforcement personnel.

The Western Kentucky office, for example, participated in a National Conference for Law Enforcement Officers by presenting training sessions on the law of search and seizure.

Implementation of the District of Columbia Court Reform and Criminal Procedures Act has been a concern of the U.S. attorney for the District. Project TRACE, a computerized criminal fact-gathering program instituted by the U.S. attorney's office, played a major role in the success of the law enforcement effort in the District during FY 1971.

In order to be better equipped to provide expert service to other Federal law enforcement agencies, U.S. attorneys have developed concepts of "specialization" and "project orientation" and new systems for gathering evidence in priority areas of enforcement, such as organized crime, securities frauds, environmental pollution, and consumer protection.

## Community Relations Service

Though the Community Relations Service (CRS) has no direct law enforcement authority, it performs a conciliatory function in potentially explosive situations that is of great value in preserving tranquility. This function involves hearing both sides of a dispute in an orderly fashion and attempting to negotiate a constructive solution acceptable to all parties concerned. CRS offers assistance of a technical rather than a grantmaking nature, helping communities to improve relations between criminal justice agencies and the citizens they serve.

Created by title X of the Civil Rights Act of 1964, the

(6) Assisted officials of Jackson, Miss., following the 1970 incident in which two students were killed at Jackson State College, to obtain \$200,000 in public and private funds for summer jobs for needy students to earn money to continue their education the following year. Of this total, \$100,000 was obtained from the business community and was matched by the Federal Government through the efforts of the Attorney General.

(7) Assisted law enforcement agencies in developing effective training programs in police-community relations for the following cities: Spartanburg, S.C.; Little Rock, Ark.; Hartford, Ky.; Athens, Ga.; Miami and Tampa, Fla.; Coachella, Calif.; Pasco, Wash.; and Detroit, Mich.

(8) Helped the Community Relations Unit of the New Orleans Police Department to set up a rumor control center staffed by police and community people, which separates fact from fiction and then relays the information to the community in an effort to alleviate racial tension.

(9) Assisted the Mexican American Advisory Committee of Los Angeles, Calif., to develop a drug treatment and education proposal.

(10) Assisted attorneys in Houston, Tex., to increase citizen involvement in police complaints.

(11) Advised minority police officers in Atlanta, Ga., on procedures for establishing police complaint centers.

(12) Helped officials of the Washington, D.C., school system to deal with violence in the public schools.

(13) Reviewed the comprehensive plans of 15 States to assure inclusion of minorities in police recruitment and community relations programs in their proposals to LEAA for funding.

(14) Aided officials in obtaining minority representation on regional, State, and local planning agencies involved in carrying out the LEAA program.

## Crisis Conciliation

Conciliation of crises and reducing racial tensions consumed 5,099 man-hours and \$52,833 in manpower and

responded to 671 requests for justice. In helping to be a pivotal force in the State, and national efforts to establish peace, the CRS helped parties, develop the problems and programs to solve them between police-

Some CRS conciliation efforts in solving crisis situations include the following examples:

(1) A confrontation between approximately 100 minority youths and the police over the killing of a young Puerto Rican by a white policeman began the fourth straight summer of violence in an eastern city.

CRS conciliators arrived and assessed the situation. Sources of minority irritation, besides the killing, were unemployment, inadequate housing, recreation and health facilities, poor police-community relations, and the city's failure to open fire hydrants for children on hot summer days. The conciliators met with police officials and encouraged them to: (1) set up a rumor control center to squelch rumors and misconceptions pervading the community; (2) withdraw the night curfew—a source of minority hostility; (3) formalize a strict firearms policy to cope with recurrences of conflicts; and (4) utilize "Teens on Patrol," an organization of black, white, and Puerto Rican youths, to act as liaison with potential troublemakers.

After the violence subsided, the conciliators encouraged minority leaders to undertake constructive efforts to improve community conditions. They also apprised the police chief of the discontent of minority policemen and the reasons why so few minority persons applied for police positions, and suggested ways to get more on the force.

(2) Chicanos of a large western city staged two large-scale demonstrations in protest against alleged police harassment and mistreatment. The first march was a "dry run" for the larger march set for 22 days later. As it turned out, 1,500—instead of 100—marchers were involved in the first march which resulted in several altercations between marchers and police along the march route. Some 30 Chicanos were arrested following a melee of rock-throwing and window-smashing. There were no deaths. By the time the second march was set to get underway, tension reached a peak. CRS conciliation teams accompanied each march segment, opening communication channels between marchers and officials of communities along the march route, and resolving sporadic disputes between marchers and community residents. One Mexican-American was killed by a sheriff's deputy in an outburst after the crowd dispersed. The killing was ruled a justifiable homicide.

(3) Thirty-two persons were arrested for curfew violations in an eastern city after a night of sporadic sniper fire and the burning of buildings and cars. At the request of local and State officials, the CRS went to the city and learned that an 11-man ad hoc committee had been organized to negotiate with the police. CRS conciliators met with the committee and learned that the committee had demands of

nittee was meeting, police raided the building in search of guns. Black leaders called the police action harassment and intimidation. The CRS was able to alleviate tension by working as liaison between the ad hoc committee and the city council. The CRS convinced city officials to lift the curfew after committee members proved they could keep peace in the community. The CRS then assisted in the establishment of a viable police-community relations program for the city.

(4) CRS conciliators went to an eastern city after it was rocked with 2 straight days of racial disturbances during which a four-block area of predominantly white-owned businesses was burned. Eight black-owned businesses were destroyed and black citizens were attacked. State Troopers were sent in to assist. The minority community accused the predominantly white State Troopers of retaliation. The CRS arranged for a meeting to air the grievances and sought legal aid for the complaints to be formalized and filed with the appropriate civil rights authorities. The CRS also suggested that the city make funds available to meet black community economic needs and to establish a human rights commission. CRS staffers then monitored an all-night negotiating session in which a partial agreement was reached in 15 of the 24 demands. The Governor was encouraged to withdraw the State Troopers. As FY 1971 ended, CRS was providing Federal program liaison as community leaders sought financial assistance in rebuilding their community.

## CRS Role in Desegregation

Realizing that some problems would arise during the transition of Southern schools from dual to unitary systems, the CRS began mapping strategy to seek an orderly compliance.

The CRS employed 37 temporary field representatives and assigned 10 permanent CRS field representatives as team captains in nine States.

By the end of February 1971, CRS personnel had made 7,577 contacts with students, teachers, parents, school officials, community groups, city officials, and others concerned with problems involving desegregation.

## United States Marshals Service

There are 94 United States Marshals, one in each of the Federal Judicial districts, located in the 50 States, the District of Columbia, and in Guam, Puerto Rico, Virgin Islands, and the Canal Zone. They are agents of the executive branch of the Government and also function as executive officers of the Federal courts.

The Marshals arrest and take custody of persons named in Federal court warrants, seize and take custody of property, and serve processes issued in civil and criminal cases. They also execute Federal warrants of extradition and for parole violations. They have custody of all Federal prisoners from the time of their arrest until delivered to a correctional institution or released by a court.

**Operations highlights.** In their responsibility for protecting Federal property, the Marshals in FY 1971 participated in the removal of dissident groups illegally occupying Federal facilities at the Culebra Island Naval Gunnery Range, P.R.; the Twin Cities Naval Air Station, Minneapolis, Minn.; and at Alcatraz Island in San Francisco Bay, San Francisco, Calif.

Marshals participate, in support of the Federal Aviation Administration and in cooperation with civil air carriers, in the anti-air piracy effort program. The program was inaugurated in FY 1970. In FY 1971, Marshals made 815 arrests in the air piracy program alone, more than 100 of which were for concealed firearms, and 41 of which were for possession of other concealed weapons. An ancillary benefit was the seizure of \$1.6 million worth of narcotics.

Marshals Service personnel operate at 32 key airports throughout the Nation, utilizing devices and procedures including electronic search devices and screening through a confidential behavior profile. While confirmation of cases of deterrence of air piracy is difficult, the Service does consider that at least eight potential hijackings were aborted because of its activities in FY 1971.

Protection of participants in the litigative process is an important function of the Service. Marshals protect jurists and other officers of the courts and witnesses and their families from threats of violence and intimidation. Following enactment of enabling legislation in March 1971, the Service undertook responsibility for the personal security of all Federal judges and the physical security of all Federal court facilities. During FY 1971, the Service conducted 174 personal security assignments involving witnesses whose lives had been endangered as a result of their cooperation with the Government in criminal prosecutions.

**FY 1971 statistics.** In order to meet expanded responsibilities imposed by the appointment of additional judges and magistrates and in the areas of anti-air piracy, court security, and witness security, staff ceilings of the Service were increased from 1,294 personnel in FY 1970 to 2,521 personnel in FY 1971. In the interests of an efficient force of personnel, training programs were expanded, and

1,040 Marshals Service personnel participated in internal, interagency, and non-Government training programs.

## Legislation and Congressional Liaison

Liaison between the Department of Justice and the Congress is maintained chiefly through the Legislative and Legal Section of the Office of the Deputy Attorney General supervised by the Associate Deputy Attorney General for Legislation.

The legislative functions of the Department of Justice include formulation of legislative programs and responding to requests from congressional committees and the Office of Management and Budget for reports on pending and proposed legislation as well as enrolled bills.

**Legislative program.** The Department of Justice legislative program for the 92nd Congress included the following bills sent to Congress in 1971:

(1) Bail Reform Act amendments, authorizing pretrial detention of certain persons charged with dangerous offenses and empowering courts to take into consideration danger to the community in connection with the release prior to trial of persons charged with crime.

(2) The Law Enforcement Revenue Sharing Act of 1971, which would greatly expand the program of assisting State and local law enforcement.

(3) Antipornography proposals designed to prohibit interstate transportation of prurient advertising and to protect minors from obscenity.

(4) The Police Officers Benefits Act, authorizing a payment of \$50,000 for families of police officers killed in line of duty.

(5) Proposals to implement the administration's program on control of drug abuse, including an amendment to the Narcotic Addict Rehabilitation Act authorizing additional addict treatment programs, and a proposed Drug Abuse Procedure Act designed to facilitate receipt of certain evidence in drug abuse prosecutions.

(6) Nontestimonial Identification of Suspects, a bill which would authorize a judicial officer, upon proper finding of cause, to order a suspect to appear for fingerprinting, blood tests, police lineups, etc.

(7) Aircraft piracy amendments which would facilitate prosecution of crimes and offenses committed aboard aircraft.

(8) Criminal Justice Information Systems Security and Privacy Act of 1971, providing for protection of the privacy rights of individual offenders, while authorizing the interstate exchange of criminal justice information.

(9) A consumer protection package, including proposed Consumer Fraud Protection Act, Federal Commission Act amendments, and the Fair and Accurate Credit Transactions Act.

## Office of Criminal Justice

The primary function of the Office of Criminal Justice is to improve the methods and quality of the administration of the criminal statutes. In this capacity it analyzes the objectives, components, and functions of the criminal justice system, and recommends reforms designed to strengthen and revitalize the system.

The Office of Criminal Justice is part of the Department of Justice, under the supervision of the Deputy Attorney General.

**Court reform.** In FY 1971, one of the chief efforts of the Office was the implementation of the District of Columbia Court Reform and Criminal Procedure Act, which became law by signature of President Nixon on July 29, 1970. The Office assisted in processing appointments to the District of Columbia expanded court system and the new District of Columbia Commission on Judicial Disabilities and Tenure and prepared an analysis of the criminal provisions of the District of Columbia Code.

**Bail reform.** During the fiscal year, the Office formulated amendments to the Bail Reform Act of 1966 and commented on legislation affecting the control and treatment of narcotics, the protection afforded public officials, foreign dignitaries, intoxication testing, gun control, pornography, and other crime control proposals for the District of Columbia.

**Federal grants.** In line with the Department of Justice policy of supporting local efforts in criminal justice, the Office worked with the District of Columbia Criminal Justice Coordinating Board, the criminal justice planning agency for the District, and assisted in District efforts to obtain Federal grants to support and improve criminal justice programs, including crime prevention, narcotics treatment, and inmate rehabilitation. It served on various view committees planning for new court and detention facilities in the District of Columbia.

**Liaison activities.** In addition to its liaison with the District of Columbia Government on crime and justice, the Office worked closely with the American Bar Association, particularly its Criminal Law Council; the American Trial Lawyers Association; and the National Association of District Attorneys. Representatives of the Office of Criminal Justice are on the Department of Justice Law Enforcement



Committee, and participated in a review of proposed Federal Rules of Evidence and of the proposed code advanced by the National Commission on the Reform of Federal Criminal Laws.

**Speedy trial.** Among the most critical policy issues examined by the Office during the fiscal year was the question of how to obtain speedy justice and, in this connection, it coordinated Department of Justice policy on various speedy trial proposals.

## Board of Immigration Appeals

Aliens who come in contact with the criminal justice system in the United States may be subject to certain actions by the Immigration and Naturalization Service which are reviewable by the Board of Immigration Appeals.

The Board on review disposes of such matters as aliens who commit Federal or State crimes, aliens on parole, and aliens with a criminal record who seek to enter or leave the Nation, to name some of the important areas of concern.

**Background.** The Board is a quasi-judicial body, appointed by and responsible to the Attorney General. It has jurisdiction, fixed by regulation, to hear and determine appeals from Immigration and Naturalization Service decisions in deportation, exclusion, visa petition, and other types of cases arising under the Immigration and Nationality Act. Its rulings on behalf of the Attorney General on all questions of law under the act are controlling, subject to appellate review.

Selected decisions designed to serve as precedents are published, comprising 12 bound volumes to date. Twenty-eight decisions were added during FY 1971.

On June 30, 1970, appeals in 193 deportation cases and 17 exclusion cases were pending. During FY 1971, 968 deportation appeals were received and 915 adjudicated; 150 exclusion appeals were received and 122 adjudicated. On June 30, 1971, 246 deportation appeals were pending.

## FY 1971 Activities

During FY 1971, the Board decided several cases involving Federal and State law enforcement and criminal justice. Abstracts of those cases follow.

**Expungements under State law.** An alien was convicted of burglary in Arizona, but the court there set aside the

conviction and dismissed the complaint pursuant to provisions of the Arizona Code. The Board ruled that the conviction was expunged and no longer valid within the meaning of section 241(a)(4) of the Immigration and Nationality Act.

**Illegal evidence.** An alien contended that documents entered into evidence to establish his deportability were obtained in violation of his constitutional rights. He offered no competent legal evidence to support his claim. The Board dismissed the claim on grounds that one who raises such a claim must come forward with proof establishing a prima facie case of illegality before the Immigration and Naturalization Service can be held to assume the burden of justifying the legality of obtaining the evidence.

**Good moral character.** An alien was admitted as a non-immigrant student. She was convicted of a single petty offense involving moral turpitude and served a prison sentence. The Board held that the conviction did not preclude establishing good moral character under section 101(f)(3) of the Immigration and Nationality Act to qualify for voluntary departure under section 244(c) of the Act. The decision overruled in part a previous decision of the Board.

**Competent evidence.** An alien made admissions to a Service officer in a preliminary interrogation at a Travelers Aid Society office, in a noncustodial setting. The Board held that the admissions were not tantamount to a failure of the officer to give the alien a warning type required in *Miranda v. Arizona*, 384 (1966), and that therefore the admissions constituted competent evidence to support a deportation.

**Alien parolee.** An alien parolee was arrested but then escaped and remained at large for 7 months. The Board held that his status as an alien parolee changed thereby, and that upon apprehension termination of parole, exclusion and not deportation proceedings were proper.

## United States Board of Prison Parole

The U.S. Board of Prison Parole considers all applications for parole by Federal prisoners, decides whether parole can be granted, and has jurisdiction over parolees. It issues a release certificate for each parolee and may institute proceedings for his return to custody if he violates the regulations governing his behavior after release.

In FY 1971, the Board conducted 11,848 hearings with Federal prisoners. Reviews also were made of previous decisions on the basis of institutional progress reports or other information in 3,433 cases. The Board made 16,028 decisions of all types during the fiscal year.

In past years, an increase in the number of paroles has led to a similar increase in the number of parole violator warrants that were issued. This trend slowed significantly in FY 1971, suggesting the conclusion that the Board's improved decision-making process is resulting in a higher degree of success by those selected for parole.

The number of paroles granted rose substantially, from 2,754 in FY 1970 to 4,346 in FY 1971, according to preliminary figures compiled by the Bureau of Prisons. The number of violator warrants also increased, but by a far smaller factor—from 1,749 in FY 1970 to 2,045 in FY 1971. (These totals exclude releases under the Youth Corrections Act and prisoners being paroled for a second time.)

**Background.** The Federal parole system has been in operation since 1970, but a centralized board with parole jurisdiction over all Federal prisoners, wherever housed, was created by statute in 1930. As now constituted, the Board has eight members, appointed by the President with the advice and consent of the Senate. Members serve 6-year overlapping terms and may be reappointed.

In 1950, Congress created a Youth Corrections Division within the Board, with specific powers under the Youth Corrections Act. Any member of the Board may be designated by the Attorney General to serve on the Youth Division. The chairman of the Board and the chairman of the Youth Division are designated by the Attorney General.

**Reorganization.** A major reorganization of its operations was completed by the Board in FY 1971. The practice had been throughout most of the Board's history for the members to conduct the bulk of the hearings with parole eligibles, after which the members made decisions on the parole applications, not only those they heard themselves but those heard by other members. This procedure often resulted in a long delay before inmates were advised of the outcome of their applications. It also imposed a heavy workload on members of the Board, involving excessive demands upon their time. Consequently, adequate time was not always available for careful deliberation and conferences with one another on the more difficult cases.

A new approach to decision-making emerged from the development in 1971 of a staff of eight Parole Hearing Examiners. The changes have reduced the time lag and more nearly assured that every decision is as appropriate

as possible. Board members are now more available in Washington to engage in decision-making on a more timely basis.

Time gained from improved processing methods has permitted the Board to inaugurate appeals procedures relative to its own decisions and to give careful study by the entire Board to the more complicated and unusual cases.

Under these new procedures, a staff prepares a full summary of the case and makes an oral presentation to the members of the Board, who meet monthly for this purpose. Group decisions are then arrived at after thorough consideration and discussion.

**Study of decision-making.** At the close of FY 1971, a new study, funded by a grant from the Law Enforcement Assistance Administration, was well underway. The purpose is to improve Federal parole decision-making through use of computerized data on the Board's decision, and a 2-year follow-up of the success or failure of those released on parole. The project is planned to develop "base expectancy" or "experience" profiles which Board members can use in comparing similar types of offenders. An actuarial table of probable success will thus be available to the members as they vote on each application for parole.

By using a computer terminal station located in the Board's Headquarters offices, data stored in a computer at Davis, Calif., can be immediately recalled. Through use of the computer terminal, the Board has ready access to computer-stored data on more than 115,000 prisoners paroled from the 50 States, as well as a sample of Federal paroles, since 1966.

## New Legislation

**Court-appointed counsel.** Congress amended the Federal Criminal Justice Act, effective February 11, 1971, to provide that an alleged parole violator may have court-appointed counsel represent him at his revocation hearing if he cannot afford his own attorney. The number of revocation hearings with court-appointed attorneys has increased substantially since the legislation went into effect.

Many of these hearings are conducted in the community where the alleged violation took place. Local hearings are granted by the Board where there has been no criminal conviction while on parole; where the parolee denies he has violated parole; and where he wishes to have legal representation or witnesses testify in his behalf.

**Community treatment centers.** Until the enactment of enabling legislation, the Board often found itself without adequate community resources for short-term residence or treatment for parolees who needed time to replan their lives. Under existing legislation it is now possible for a special condition to be imposed requiring a parolee to participate temporarily in a program operated by a Federal community treatment center under the jurisdiction of or under contract to the U.S. Bureau of Prisons. Use of such facilities makes it possible to salvage a parolee without parole violation and return to custody.

**Initial hearing.** Prior to 1971, the Youth Corrections Act stipulated that an initial hearing and a violator hearing with a committed youth offender should be conducted by a member of the Board's Youth Corrections Division. Under new legislation, such hearings may now be conducted by any member or by an examiner appointed by the Division. This approach makes it possible to make full use of the hearing examiners recently appointed by the Board.

## Pardon Attorney

President Nixon granted 157 pardons and 16 commutations of sentence in FY 1971, exercising the power the Constitution vests in the President to grant reprieves and pardons.

In all, 454 new applications for executive clemency were received in FY 1971; 648 were denied and 574 were pending at the close of the fiscal year.

**Background.** Article II, Section 2, of the Constitution gives the President unlimited and unqualified power to grant reprieves and pardons for all offenses against the United States except in impeachment cases. He has no authority in State cases. The exercise of the pardoning authority is not subject to review by the courts and may not be circumscribed by Congress. There is no appeal from a clemency decision.

The Attorney General advises the President on all matters concerning executive clemency. As a member of the Attorney General's staff, the Pardon Attorney reviews all petitions for clemency, initiates the necessary investigations, and prepares the Attorney General's recommendations to the President. The pardoning power, however, is exercised by the President personally and is not delegated to any other official or agency, except in modification of

prison sentences in military cases, in which clemency is exercised by clemency boards within the military departments.

Pardon after completion of sentence is the most common form of clemency, and demonstrated good conduct for a period of time after release from confinement is a customary criterion.

**Recidivism studies.** A recent study based on all 194 persons who received pardons in FY 1965 found that only 3 percent had been convicted of subsequent crimes. Only 1 percent had felony convictions and 2 percent had misdemeanor convictions.

An earlier study of all 149 persons pardoned in FY 1960 showed that none had been convicted of subsequent felonies while 4 percent had been convicted of misdemeanors.

on September 7, 1971, as part of his administration's attack on the drug problem.

Other members of the Committee are the Attorney General, the Secretary of Defense, the Secretary of the Treasury, the Secretary of Agriculture, the Permanent United States Representative to the United Nations, and the Director of the Central Intelligence Agency.

**Responsibilities.** The Cabinet Committee is charged with formulating and coordinating all policies of the Federal Government relating to the goal of curtailing and eventually eliminating the flow of illegal narcotics and dangerous drugs into the United States from abroad.

Specifically, the Cabinet Committee is charged with:

- ☐ Developing comprehensive plans and programs for international drug control;
- ☐ Assuring the coordination of all diplomatic, intelligence, and Federal law enforcement programs and activities of international scope;
- ☐ Evaluating all such programs and activities and their implementation;
- ☐ Making recommendations on funding; and
- ☐ Providing the President with periodic progress reports.

**Working group.** The Cabinet Committee is supported by a working group composed of high-level officials from each of the member agencies. The working group is itself divided into functional subcommittees on intelligence; law enforcement; public information; diplomacy and foreign aid; congressional relations; and rehabilitation, treatment, and research.

**Activities.** The Cabinet Committee has initiated the preparation of drug control action plans for those countries considered to have current or potential involvement in the production, processing, consumption, or transmitting of illicit hard drugs.

The project focuses on world supplies, trafficking, and smuggling of heroin and cocaine destined for the United States or for United States personnel abroad. The plans are reviewed by regional interagency narcotics control committees within the Department of State and, where appropriate, submitted for approval to the working group of the Cabinet Committee. Approved action plans serve as the basis for opening discussions with governments for the negotiation of bilateral action programs.

A



Plane taxis at Dulles International Airport.

## Bilateral Action

The Department of State has developed mutual assistance arrangements with Mexico, Turkey, and France in cooperative efforts against illegal drug traffic, and has reinforced such arrangements with Canada.

Spain and a number of other countries are cooperating with the United States on an informal basis in the effort to stem the clandestine drug trade.

Among the noteworthy accomplishments was the conclusion on September 28, 1971, of a memorandum of understanding on cooperation in the narcotics field with Thailand which provides for joint action by the United States and Thailand to improve drug enforcement measures.

## United Nations Actions

The United Nations (UN) plays a major role in encouraging and directing international efforts to cope with the drug problem. The Economic and Social Council has primary responsibility within the United Nations system for this task, which it in turn delegates in part to one of its functional commissions, the Commission on Narcotic Drugs.

**Commission on Narcotic Drugs.** The Commission on Narcotic Drugs was composed in 1971 of the following member states: the United States, Canada, Mexico, Jamaica, the Dominican Republic, Brazil, Peru, the United Kingdom, France, the Federal Republic of Germany, Sweden, Switzerland, Yugoslavia, Turkey, Hungary, the Soviet Union, Egypt, Lebanon, Iran, Pakistan, India, Japan, and Togo.

The Commission is charged with general supervision of the world drug situation and UN drug-related activities. It reports its findings and recommendations to the Economic and Social Council, which in turn may report and make recommendations to the General Assembly.

**Special Fund for Drug Abuse Control.** The United Nations created in 1970, at the urging of the United States, a special Fund for Drug Abuse Control, under the direction of a personal representative of the Secretary General. The Fund is designed to assist members in short-term and long-term plans and programs to cut the supply of illicit drugs, to diminish the demand for drugs, and to repress the illicit drug traffic.

The first major task of the Fund was to finance a comprehensive UN Plan for Concerted Action Against Drug Abuse, developed through coordination between the Commission, the Council and other interested UN bodies. The objective of the Plan is fivefold:

- To expand United Nations' research and information facilities;
- To limit the supply of drugs to legitimate requirements by ending illegal production and substituting other economic opportunities;
- To enlarge the capabilities and extend the operations of existing United Nations drug control bodies;
- To promote facilities for treatment, rehabilitation, and social reintegration of drug addicts; and
- To develop educational material and programs against drug abuse in high-risk populations.

The first major program to be assisted by the Fund was in Thailand, where in December 1971 representatives of the United States, Thailand, and the United Nations agreed to coordinate on drug control projects.



Poppy pods slit for removal of crude opium.

The United States contributed \$2 million to the Fund in 1971, and an additional \$449,102 was donated by France, the Federal Republic of Germany, the Holy See, Morocco, Saudi Arabia, Sweden, Turkey, South Vietnam, and nongovernmental sources. An additional \$550,480 was pledged by Canada, Cyprus, Iran, Italy, and Sweden. India has offered to contribute expertise, training, and educational facilities.

## Multilateral Treaties

The United States took a leading role throughout 1971 in the negotiation of two major international agreements providing for controls over narcotics and dangerous psychotropic drugs.

**Single Convention on Narcotic Drugs.** The United States, in March 1971, initiated proposals to amend the Single Convention on Narcotic Drugs of 1961.

That Convention, to which 90 foreign states were parties at the end of the year, is the basic international treaty providing for international regulation of narcotic drugs such as opium and heroin.

**Protocol Amending the Single Convention.** A 97-nation United Nations Plenipotentiary Conference in Geneva, called by the Economic and Social Council at the request of the United States, adopted a Protocol Amending the Single Convention, March 24, 1972, to climax a year of intensive diplomatic effort by the Department of State and its embassies.

The Secretary of State hailed the Protocol, which was adopted without dissent, as holding the promise for further curtailing the supply of illegal heroin in the United States.

Implementation of the Protocol requires ratification by 40 parties to the Single Convention.

**International Narcotics Control Board.** The Protocol would empower the International Narcotics Control Board, a body of experts established by the Single Convention, to exercise new authority to curb illicit cultivation, production, manufacture, trafficking, and consumption of opium, heroin, and other narcotics.

In particular, the Protocol would give the Board for the first time authority to require reduction of opium poppy cultivation and opium production in countries shown to be sources of illicit traffic. It would give the Board the ability to intensify efforts against the illicit traffic by providing the Board access to better and fuller information and by creating the possibility of on-the-spot examinations and increased publicity for control violations or noncooperation at the highest levels of the United Nations.

It would strengthen, in a manner similar to that employed in the recent conventions on airplane hijacking, the ability of the United States and other victim nations to extradite and thus prosecute narcotics traffickers who have taken refuge in other nations. It would give the Board for the first time authority to recommend technical and financial assistance to help cooperating governments carry out their treaty obligations, and it would place upon foreign states a new international obligation for drug abuse prevention, education, treatment, rehabilitation, and social reintegration of drug abusers as well as for more effective law enforcement.

The Protocol would further strengthen the Board by expanding it from 11 members to 13 to make it more representative, by increasing the term of office for members from 3 to 5 years, and by increasing the independence of the Board's Secretariat.

**Convention on Psychotropic Substances.** The President also requested the advice and consent of the Senate to ratification of the Convention on Psychotropic Substances, which was adopted by a plenipotentiary conference in Vienna in February 1971.

This Convention would extend international controls, which are essentially similar to those in the unamended

employed in the Single Convention, to include the use of substances placed in Schedule I, such as LSD and mescaline, would be prohibited except for strictly regulated scientific and medical purposes by authorized persons.

The Convention would require that manufacture, trade, and distribution be licensed, that supply or distribution be by prescription only, that manufacturers and distributors keep records, that warnings be placed on labels, that inspections be conducted, and that parties file statistics and other reports. International trade in the substances would be strictly regulated, and both export and import authorizations would be required for the more dangerous substances. The Convention would assign the International Narcotics Control Board important reporting and supervisory functions and would assign additional authority to review, recommend, and make decisions to the Commission on Narcotic Drugs.

Like the Protocol Amending the Single Convention, the Convention on Psychotropic Substances requires ratification by 40 foreign states before it can enter into force.

## Assistance to Traveling Americans

The Department of State also performs an important informational function through its campaign to advise Americans contemplating travel that they are liable when abroad to the drug laws of the countries they visit.

The Department seeks to inform Americans of the nature of the drug laws to which they will be subject while abroad and attempts to assist Americans detained for drug offenses abroad to obtain adequate legal counsel and other services.

Americans detained abroad. Despite these efforts, the number of Americans under detention abroad for violation of local drug laws has seen a fourfold increase between May 1969 and May 1971. By the latter date, 747 Americans were under detention on local drug charges in 50 foreign countries.



Passengers departing for overseas from Dulles International Airport.



...of the states contracting to the Convention will either extradited to another foreign state or prosecuted where it is found.

**This section describes the events behind and leading up to the ratification of the international agreement arrived at between major nations. The agreement is called the Convention for the Suppression of the Unlawful Seizure of Aircraft.**

**Background.** As early as 1968 the threat to international air safety posed by hijacking had become an acute problem. The international civil aviation community recognized this fact, and the International Civil Aviation Organization (ICAO) Assembly in that year put into motion a study of concrete international measures.

**U.S. proposal.** The United States itself took the leadership in formally proposing a draft antihijacking conven-

...the would-be hijacker is that any hijacker who enters one of the states contracting to the Convention will either extradited to another foreign state or prosecuted where it is found.

A full summary of the provisions of the Hijacking Convention appear below.

The United States became the 10th country to deposit its instrument of ratification on September 14, 1971, and the Convention entered into force 30 days thereafter.

**Other conventions.** In FY 1971, two related Conventions dealing with attacks on civil aviation were initiated.

One of these is a Convention on acts of violence other than the unlawful seizure of aircraft directed against international civil aviation. A diplomatic conference met to consider an ICAO draft on this subject, and it was opened for signature in September 1971, in Montreal, Canada. This Convention is quite similar to the Hijacking Convention except for Article 1—defining the offense. It grew out of explosions in the spring of 1969 which destroyed a Swiss civil aircraft in flight and badly damaged an Austrian civil aircraft in flight.

The other new Convention is a specific response to President Nixon's seven-point program announced on September 11, 1970, to deal with the menace of international blackmail hijackings such as those which took place on Labor Day weekend in 1970.

The ICAO Legal Committee in October 1970 and a special Legal Subcommittee in April 1971 began consideration of a draft Convention which would make concerted action, such as suspension of air service to foreign states participating in or facilitating international blackmail, binding upon foreign states once a determination of default had been made and would provide a mechanism for making that determination.

## Presidential Proposal

Major impetus to the move toward a broad international convention on hijacking was given by President Nixon in his address to the United Nations General Assembly on September 1969.

The President stated that one of the areas of great concern to everyone "with regard to which there should be no national differences, in which our interests are common, and on which there should be unanimity" was: "ensuring the safety of international air travel."

He stated that by "any standards, aircraft hijacking is morally, politically, and legally indefensible."

He noted that: "Along with other nations, we also are working on a new convention for the punishment of hijackers. But (neither this Convention nor the Tokyo Convention) can be fully effective without cooperation; so piracy cannot be ended as long as the pirates receive asylum." President Nixon urged the United Nations to give high priority to the hijacking problem, stressing that it "is an issue which transcends politics . . . It involves the interests of every nation, the safety of every air passenger, and the integrity of that structure of order on which a world community depends."



**Tokyo Convention.** The first steps had already been taken by the United States in ratifying the Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft, thereby bringing that Convention into force on December 4, 1969.

That Convention gives the foreign state of registration of an aircraft criminal jurisdiction over all offenses committed on board, and requires a contracting state in which a hijacked aircraft lands to permit continuation of the journey of passengers and crew and to restore the aircraft to those entitled to possession.

**ICAO draft Convention.** The Tokyo Convention, however, did not directly address the punishment of hijackers. This was the purpose of the draft Convention prepared by the ICAO, and submitted to governments at The Hague in December 1970.

**New hijackings.** The draft Convention which was before the international conference at The Hague had been prepared by the ICAO Legal Committee and at two sessions of its Subcommittee on Unlawful Seizure. It was not a bad draft, or a weak draft; it represented various compromises thought to have been necessary to gain wide acceptability. But the Legal Committee completed its work in March 1970 and between then and The Hague conference in December, two events occurred which significantly altered the United States view of what would be widely acceptable.

The first was the dramatic series of international black-mail hijackings into Jordan on Labor Day weekend of 1970. The deliberate endangering and holding hostage of hundreds of innocent persons for political purposes mobilized public opinion against hijacking as never before.

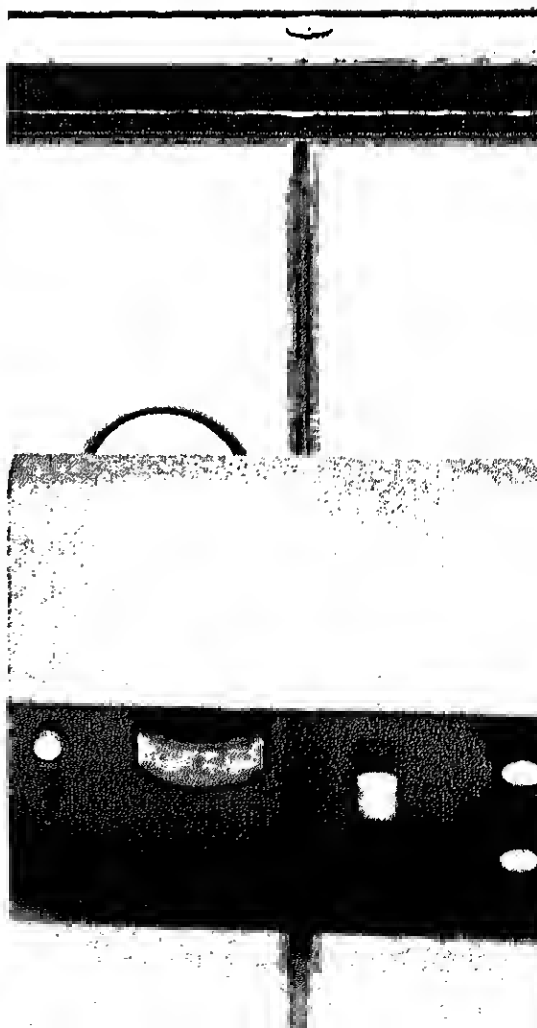
Second, the Soviet Union, which became a member of ICAO in November 1970, was the victim of two hijackings shortly before the conference and came to the conference with great interest in strengthening the Convention.

**U.S. amendments.** The United States therefore proposed a series of strengthening amendments and actively sought the support of other governments for those amendments. The result was a substantially strengthened Convention, and it was submitted for ratification in that form.

## Hijacking Convention Provisions

The major provisions of the Convention for the Suppression of the Unlawful Seizure of Aircraft are as follows:

**Scope of the Convention.** The Convention applies to any unlawful seizure or exercise of control, by force or threat of force, or by any other form of intimidation, committed on board a civil aircraft in flight, and to any attempt at such an act committed on board. An aircraft is considered to be in flight from the moment when all its external doors are closed following embarkation until the moment when any door is opened for disembarkation.



contracting states to provide through their laws.

**Jurisdiction.** Article 4 contains the basic jurisdictional provisions of the Convention. It requires that each contracting state establish jurisdiction to punish the offense itself, and any other act of violence committed by the offender against passengers or crew in connection with the offense, in the following circumstances:

(1) When the offense is committed on board an aircraft under its registry;

(2) When the aircraft on board which the offense is committed lands in its territory with the alleged offender still on board; and

(3) When the aircraft on board which the offense is committed has been leased without crew to a lessee whose principal place of business or, if none, permanent residence is in its territory.

Paragraph 2 provides that, regardless of where the offense is committed, each contracting state shall establish its jurisdiction to prosecute when the alleged offender is present in its territory and it does not extradite him to any of the states mentioned in (1), (2), or (3) above.

**Universal jurisdiction.** The result of those several required bases of jurisdiction is universal jurisdiction among contracting states to prosecute regardless of where the offense occurred. The special aircraft jurisdiction of the United States (49 U.S.C. 1301), as amended, does not now cover cases of the kind to which paragraph 2 of Article 4 is directed, so implementing legislation is required for the paragraph.

In addition, paragraph 3 of this Article states that criminal jurisdiction exercised in accordance with national law is not excluded. Thus, for example, a foreign state that establishes jurisdiction on the basis of the nationality of the offender would not be precluded from exercising that jurisdiction.

**Custody.** Each contracting state is obliged to take a hijacker into immediate custody or to take other measures to ensure his presence for such time as is necessary to enable criminal or extradition proceedings to be instituted.

**Extradition or prosecution.** The Convention amends existing extradition treaties to include hijacking as an extraditable offense and provides that it shall be an extraditable offense between foreign states which do not make extradition conditional on an extradition treaty. If a foreign state in which a hijacker is found does not extradite him, that state is obligated "without exception whatsoever, and whether or not the offense was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution."

**Article 7.** Article 7 obliges any contracting state in which an alleged offender is found and which does not extra-

whether the offense was committed in the territory of this state. Under Article 4, a contracting state is required to establish its jurisdiction to punish the offense wherever it occurred. Thus, Article 4 and Article 7 together ensure that whenever an alleged offender is found within the territory of any contracting state, the case will be submitted to the competent authorities of that state for the purpose of prosecution, unless that alleged offender is extradited to another state. The law of each contracting state would identify the local authorities who are competent to discharge this responsibility.

Article 7 further provides that the authorities to which the case is referred for the purpose of prosecution shall take their decision in the same manner as in the case of any ordinary offense of a serious nature under the law of their own state. The term ordinary offense is used to distinguish this kind of case from a political offense, which receives different treatment in some legal systems.

**Article 8.** Article 8 contains a number of provisions which facilitate extradition for the offense as between contracting states.

Paragraph 1 in effect includes the offense under this Convention as an extraditable offense in any extradition treaty existing between contracting states. It also obliges contracting states to include the Convention offense as an extraditable offense in future extradition treaties concluded between them. Those foreign states which list extraditable offenses would add the Convention offense to the list; those states which do not list extraditable offenses would take the necessary steps to make this offense extraditable.

Paragraph 2 gives those states which make extradition conditional on the existence of an extradition treaty (for example, the United States, the United Kingdom) the option to consider the present Convention as the legal basis for extradition.

Paragraph 4 provides that, for purposes of extradition between contracting states, the offense would be treated as if it had been committed not only in the place in which it actually occurred but also in the territory of any foreign state which has been required to establish its jurisdiction under Article 4; that is, the state of registration of the aircraft involved, the state where the aircraft lands with the alleged offender still on board, and the state in which the lessee of the aircraft has his principal place of business or his permanent residence. This provision is needed because many extradition treaties or laws in existence make extraditable only those offenses committed in the territory of the requesting state.

**Reports.** When a contracting state has taken a hijacker into custody, it shall immediately notify certain foreign states, including the state of registration of the aircraft and the state of nationality of the hijacker. In addition, each state is required to report to the Council of the International Civil Aviation Organization relevant information concerning a hijacking, the release of passengers, crew, cargo, and aircraft, and the results of any extradition or other legal proceedings.

Metal detection device in foreground is used in routine checks of passengers for metallic objects at an international airport.

Department in FY 1971 covering, for example, pas  
and visa frauds.

The Department's passport regulations provide fo  
refusal or revocation of the passport of a person who i  
subject of a Federal felony warrant, including a fug  
felony warrant for persons fleeing serious State cha  
The refusal or revocation of a passport can restrict  
sometimes prevent the international movement  
fugitive.

United States Embassies and consulates, in additio  
the general information collection and reporting w  
the Foreign Service performs abroad for all ager  
serve subpoenas in aid of Federal prosecutions, facili  
taking of testimony abroad by officers of the Departm  
of Justice, and themselves administer interrogatories.

The Department of State, with two other departm  
and an independent agency of the Federal Governmen  
negotiating with Switzerland over a proposed treaty  
mutual legal assistance relating to criminal matters.

Details on these activities follow.

## Inspector General

The Office of the Inspector General, Department of S  
has jurisdiction over auditing all funds and property  
administered by the Department, both in Washington, D  
and abroad.

The Audit and Administrative Evaluation Divisio  
the Office audits the procedures involved and attempt  
determine the extent of improper or fraudulent us  
funds or property.

When an audit results in a strong presumption of cr  
iminal activity, the Office of Security and the Office of  
Legal Adviser are informed. The Office of Secu  
assumes the responsibility for the actual investigation.

Examples of crimes that may be involved in these in  
vestigations are embezzlement and the misuse of prop

The Office of the Inspector General does not make  
direct referrals of suspected crimes to the Departmen  
Justice.

## Inspector General of Foreign Assistance

Responsibilities relating to the effectiveness of most  
eign economic and military assistance programs of  
Federal Government are placed in the Office of the  
Inspector General of Foreign Assistance (IGA).

Authority for this function derives from subject  
624(d) of the Foreign Assistance Act of 1961, as amend

**Programs covered.** Specifically, IGA has certain respo  
sibilities relating to programs of the Agency for Inter  
tional Development (AID), the Overseas Private Inve  
ment Corporation, the Peace Corps, the Inter-Americ  
Foundation, Military Assistance and Military Sales P

**Universality.** The Convention applies to hijacking of  
all civil aircraft, whether engaged in an international  
or a domestic flight. The Convention strengthens Article  
11 of the Tokyo Convention regarding the obligation  
of states to release hijacked passengers, crew, and aircraft.  
The prosecution obligations assumed by states are not  
based on reciprocal treaty relationships. The obligation  
to extradite or prosecute, together with universal jurisdic  
tion, provide a framework within which the problem  
of hijacking can be dealt with as forcefully as piracy. The  
Convention may be ratified or acceded to by all foreign  
states.

Article 9 is the provision which pertains to release of  
aircraft, passengers, and crew. Paragraph 1 of Article 9,  
which calls upon contracting states to take all appropriate  
measures to restore control of the aircraft to its lawful  
commander, comes into effect whenever the acts involved  
in unlawful seizure or exercise of control (Article 1 (a))  
have occurred or are about to occur. Thus, a contracting  
state would have this obligation if the aircraft commander  
requested assistance in anticipation of an attempt at un  
lawful seizure of his aircraft.

Paragraph 2 of Article 9 relates to the case of an air  
craft which has landed either following an attempted or  
successful seizure or in anticipation that such a seizure was  
about to take place. In that case, any contracting state  
where the aircraft or its passengers or crew are present  
is required to facilitate the continuation of the journey  
of the passengers and crew present in its territory and  
without delay to return the aircraft and cargo in its ter  
ritory to the persons lawfully entitled to possession.

Article 11, paragraph 2, of the Tokyo Convention is  
similar but differs in several respects. Article 11 of the  
Tokyo Convention was predicated on the case where the  
hijacked aircraft and its passengers, crew, and cargo were  
all in one state, whereas the present Convention recog  
nized that one or another could be in different states. Also,  
the Tokyo Convention obliges the states in question only  
to "permit" continuation of the journey, whereas the  
present Convention obliges any party to "facilitate" con  
tinuation of the journey.

## Criminal Investigations

The Department of State may discover and develop evi  
dence of crimes against the United States during the  
course of its continuing investigations and inquiries.

In those cases, the Department either refers the evi  
dence to the Department of Justice for appropriate dis  
position, or brings the matter to the attention of the

policy objectives. Additionally, Paragraph (3) (A) of that subsection reads in part as follows:

(3) The Inspector General, Foreign Assistance, shall maintain continuous observation and review of programs with respect to which he has responsibilities . . . for the purpose of: -

(A) determining the extent to which such programs are in compliance with applicable laws and regulations.



#### Dulles International Airport.

The area of jurisdiction of IGA therefore basically covers the foreign assistance authorities and appropriation acts but also extends to the other "applicable laws" governing the U.S. operating agencies that carry out the programs listed in the opening paragraph above.

**Criminal violations.** Violations of provisions of the foreign assistance authorizing and appropriation acts and other applicable laws could include such crimes as fraud, bribery, embezzlement, wrongful conversion of funds or property, false statement, and misuse of appropriated funds.

The nature of IGA responsibilities are such, however, that when suspected violations of law are detected in inspections, IGA normally turns over its findings to the legal or investigations office of the concerned operating agency (AID, Peace Corps, or Department of Defense, for example) for further investigation and subsequent referral, if warranted, to the Department of Justice.

Thus, since IGA seldom refers criminal cases directly to the Department of Justice, it has no direct referral cases to report in FY 1971.

#### Office of Security

The Office of Security has a number of functions regarding passports, visa applications, and entry control.

The Office of Security conducts investigations at the request of other elements of the State. When the investigation is for prosecution or referral to the courts, it lies with the originating office. The Office of Security does not maintain records of the Department of Justice.

Brief reports follow on the functions of the Office of Security in regard to Federal law enforcement.

**Passports.** The Office of Security conducts investigations regarding the violation of criminal laws regarding U.S. passports. These investigations are at the request of the Passport Office, and the results of the investigative activity, the reports are forwarded to the Passport Office.

The primary criminal statutes relating to passports are 18 U.S.C. 1541 through 1546 and such general criminal statutes as 18

request from the Visa Office. Office of Security jurisdiction in this field relates primarily to the investigation of the good faith of a visa application when the visa applicant is still in his home country or country where he has applied. The criminal statutes pertaining to visa investigations are 18 U.S.C. 1001 and 18 U.S.C. 1546.

**Munitions control.** The Office of Security, at the request of the Munitions Control Office, conducts investigations relating to the licensing authority of the Secretary of State. This authority is spelled out in the International Traffic In Arms Regulations and Title 22 CFR, parts 121 through 128.

Munitions cases are usually defined to rather specific limits, which have been set by the Munitions Control Office. If the investigation develops a culpable violation, prosecution can be initiated under 22 U.S.C. 1934.

## Passport Office

Law enforcement activities of the Passport Office are directed toward two areas of crime.

The first involves violations of Federal statutes relating directly to passports. The second involves convicted Federal felons who apply for or hold passports or persons who are fugitives within the meaning of the Federal Fugitive Felon Act.

Descriptions of these activities follow.

**General passport crimes.** Violations of Federal statutes relating to passports are investigated by the Passport Office.

These statutes prohibit obtaining a United States passport by fraud (18 U.S.C. 1541); making a false statement in connection with an application for a passport or for registering as a citizen abroad (18 U.S.C. 1542); counterfeiting a passport (18 U.S.C. 1544); illegally using a passport (18 U.S.C. 1544); and making false statements of entries generally (18 U.S.C. 1001).

During FY 1971, 90 suspected violations of those statutes were referred to U.S. attorneys for appropriate disposition. There were 85 cases pending at the beginning of the fiscal year. Disposition of pending cases included 29 cases not prosecuted, five cases dismissed, and 17 cases resulting in conviction during the fiscal year. At the close of the fiscal year, 124 cases were pending.

**Felons and fugitives.** Under passport regulations, a passport can be denied or revoked when there is an outstanding warrant for arrest of the individual for a Federal felony or where a warrant for his arrest has been issued under the Federal Fugitive Felon Act. The latter act provides a means by which a fugitive wanted for a State felony may be denied a passport or have his passport revoked when a warrant has been obtained under this act.

During FY 1971, 105 passports were refused or revoked because of such criminal charges.

**Organized crime.** The Passport Office maintains liaison regarding organized crime and known narcotics traffickers

with the Organized Crime and Racketeering in the Criminal Division of the Department of the Bureau of Narcotics and Dangerous Drugs, the Federal Bureau of Investigation, and the Immigration and Naturalization Service. The Passport Office functions upon request of these agencies by taking whatever action is requested and permissible under regulations.

## Visa Office

Misrepresentation, bribery and graft, and forgery of applicants abroad constitute the major kinds of crime encountered by the Visa Office.

Such cases are usually first uncovered by consular officers, and they conduct the necessary investigation overseas with the assistance of the authorities, if appropriate. Misrepresentation in seeking to procure a visa is in itself a ground for visa ineligibility and inadmissibility.

As yet, no evidence has been brought to the attention of the Visa Office of the forging of visas by someone in the United States.

**Crimes.** The crimes generally associated with visa irregularities are:

(1) **Misrepresentation:** Making false statements in procuring a visa would fall within the purview of 18 U.S.C. 1001 and 1546.

(2) **Bribery and graft:** This would involve acceptance of a bribe by a U.S. employee overseas. This would come within the meaning of 18 U.S.C. 201.

(3) **Forgery:** Under this heading would be included any and all kinds of alterations of a visa, and 18 U.S.C. 1546 would be applicable.

**FY 1971 referrals.** The Visa Office refers possible cases to the Immigration and Naturalization Service (INS), part of the Department of Justice, for appropriate disposition.

During FY 1971 the Visa Office referred to the Department of Justice approximately 280 cases of the type mentioned above.

**Connivance by U.S. residents.** Where there is evidence that persons in the United States are assisting or conspiring with visa applicants in making misrepresentation, the Visa Office would refer the matter for investigation, if appropriate, to INS, to the Department of Labor, or to the cases within the jurisdiction of the Department,



It is only in a smaller number of cases that the activities of a person in the United States in connection with a visa application filed abroad are unrelated to some transaction with INS or the Department of Labor. In such instances if the need or usefulness of an investigation is indicated, the Visa Office will request an investigation by the Deputy Assistant Secretary for Security. Consular officers also return directly to INS for review and investigation, if appropriate, individual petitions approved by INS where the consular officer has reason to believe misrepresentations have been made by the petitioner.

**Ineligible for visa.** If the Visa Office finds that an alien obtained a visa to which he was not entitled, the matter would be referred to INS, since the alien would be subject to deportation. This would include instances in which the recipient of a visa was found, after his entry into the U.S., to have procured the visa by misrepresentation.

**Wrongdoing by U.S. employee.** In the event the Visa Office learns of any wrongdoing, i.e., malfeasance, on the part of U.S. employees in visa operations abroad, notification is sent to the Deputy Assistant Secretary for Security to undertake any necessary investigation.

**Visas forged abroad.** Should the Visa Office learn that aliens are forging visas abroad, it immediately provides all information to INS so that: (1) aliens holding such visas who have not already entered the United States will be stopped at the port of entry; or (2) the information may be used in locating such aliens who have successfully entered with such visas, and used against them in deportation proceedings by INS. Diplomatic posts, as appropriate, will also cooperate with local authorities in instances of forgeries perpetrated abroad.

## Auditor General of AID

Cases of wrongdoing involving the Agency for International Development (AID) fall within the jurisdiction of the Office of the Auditor General of AID.

The Inspections and Investigations Staff of the Office of the Auditor General of AID is charged with the investigation of specific programs, transactions, or individuals. Investigations are undertaken upon the receipt of a complaint or other indication of the possibility of fraud, criminality, impropriety, dereliction, or malfeasance on the part of an AID employee or official, or on the part of a person or organization doing business directly or indirectly with AID.

**Investigations.** Investigative activities of the Inspections and Investigations staff include:

(1) Investigation of possible violations of AID regulations and the Federal criminal and civil statutes in cases of AID-financed transactions.

(2) Investigation of possible violations of AID regulations and Federal criminal and civil fraud statutes by AID employees.

(3) Inspections, principally on compliance and integrity of Agency operations, to uncover, deter, or prevent irregularities.

**FY 1971 referrals.** The Office of the Auditor General of AID in FY 1971 referred 20 criminal cases to the Department of Justice. Seventeen of these cases involved fraud against the Government; three were bribery only; and of the 17 fraud charges, there were two where bribery also was involved.

## Mutual Legal Assistance

The Department of State, with the Departments of Justice and the Treasury, and the Securities and Exchange Commission have conducted negotiations with the Government of Switzerland for a treaty on mutual assistance in criminal matters. The negotiations were continuing at the close of FY 1971.

The expected treaty would provide a mechanism for law enforcement agencies of the respective countries to request and obtain specific assistance from the appropriate authorities of the other, including the aid of the courts of the other country.

Substantial progress was made in this effort in FY 1971.

## Extradition of Fug

The Department of State is responsible for international extradition and return of certain fugitives.

The Department in FY 1971 continued its efforts to modernize extradition relations by negotiation of amendments to existing bilateral treaties or of new comprehensive bilateral treaties.

New treaties with New Zealand and Spain entered into force in FY 1971, as did a supplementary convention with France. The provisions of these treaties carry out the objectives of bilateral negotiations described below.

During FY 1971, negotiations were substantially concluded with Italy, the United Kingdom, the Federal Republic of Germany, and Canada.

## Narcotics Offenses

The Department of State has initiated new efforts against narcotics traffickers who operate at the international level.



**FY 1971 statistics.** During FY 1971, the Department of State initiated foreign extradition proceedings for 17 persons charged with or convicted of narcotics offenses. All but three of these involved Federal violations. Proceedings for four persons, whose extradition had been initiated before, continued during FY 1971.

Six of the persons for whom extradition proceedings were initiated in FY 1971 were also returned to the United States during that year. Two of the requests initiated in FY 1971 were withdrawn the next year because the primary prosecution witness had died, and two other requests resulted in the extradition of the fugitive early in FY 1972.

**Cases pending.** Of the requests initiated in FY 1971 or before, requests for nine fugitives remain pending. This was a larger number of extraditions than had been requested in previous years for all offenses.

**International cooperation.** It was a noteworthy year also because of the large number of different countries requested to cooperate—countries in Europe, Latin America, the Middle East, and the Far East. In a number of instances, requests for extradition of several members of the same ring in different countries were coordinated.

## Mechanics of Extradition

The Department of State is responsible for review and processing of all requests from the 50 States and Puerto Rico for extradition from foreign countries and all requests from foreign governments for extradition from the United States.

It assists the Department of Justice in reviewing, and it processes, all Federal requests for extradition from foreign countries. The Department of Justice also reviews extradition requests from foreign governments which it represents before courts in the United States.

**Costs.** The Department of State also bears the cost of transporting back to the United States extradited fugitives from Federal charges and certain other fugitives from Federal charges whose return is by means other than extradition.

In FY 1969, \$6,050 was obligated for this purpose; in FY 1970, \$5,625; and in FY 1971, \$21,570. A substantial amount of the increase in FY 1971 came from the intensified campaign against international narcotics traffickers and the return of a mutineer from Cambodia where the ship *Columbia Eagle* had been diverted.

**Concern of Department.** The concern of the Department of State in processing extradition requests is to determine that the offense for which extradition is sought is covered by the extradition treaty in question; that supporting evidence is adequate; and that all other substantive and procedural requirements of the treaty are met.

**Formal request.** The Department of State then makes a formal request for extradition through the United States Embassy in the foreign country involved and provides technical guidance in moving the request forward.

**Political problems.** In addition, there are occasions when an extradition request results in political problems in the country where the request is made, and the Department assists the Embassy in resolving any such problems.

**Requests refused.** Occasionally the Department must refuse to forward an extradition request, usually because it cannot be made technically sufficient or because precedents make clear that a request will not be successful.

## Modernization of Treaties

Substantial effort was expended by the Department of State in FY 1971 to update existing extradition treaties.

The Department of State reviewed its existing extradition treaties, many of which predated World War I, and found a number of deficiencies which needed correction. The modernization of extradition relations was approached through a series of bilateral negotiations.

Those negotiations were undertaken with a specific set of objectives in mind. Descriptions of those objectives follow:

**New offenses.** Expansion was sought of the list of extraditable offenses to include such modern ones as narcotics offenses, aircraft hijacking, more sophisticated fraud, bribery, perjury, bankruptcy offenses, and so-called civil rights offenses.

**Comparable crime.** A solution was needed to a procedural problem with some countries when extradition was sought for a Federal crime where interstate transportation or some other Federal jurisdictional requirement was incorporated in the statutory description of the crime and the foreign court could find no comparable extraditable crime under its own law.

**Evidence.** Clarification was needed of the nature and extent of evidence required to support an extradition request as between two widely different criminal law systems.

**Acts in third country.** Coverage was sought of at least some serious modern crimes where the acts in question took place outside the territory of the country seeking extradition but had a criminal effect within: for example, a conspiracy to smuggle narcotics into the United States.

**Extraditing U.S. nationals.** Authority was desired for the United States to extradite its own nationals in cases where the treaty did not require it and the language of the existing treaty as interpreted by courts in the United States did not authorize it. (Some foreign countries cannot accept an obligation to extradite their own nationals but can prosecute them for offenses committed abroad.)

**Representation.** Provision was sought for legal authorities of the country receiving a request for extradition to represent the requesting state in extradition proceedings. It is often expensive, time-consuming, and clumsy to proceed through private attorneys, in the opinion of the Department of State, as was the case under a number of older treaties.

## Security of Diplomats

Significant progress was made in FY 1971 toward broad international agreement on a means of deterring and punishing kidnaping and acts of terrorism against protected members of the diplomatic community.

Such kidnapings, often accompanied by demands for ransom or asylum, are a continuing threat to normal diplomatic operations.

In an effort to combat such tactics, the Department of State worked with the Organization of American States (OAS) in the development of the Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance.

That Convention was signed on February 2, 1971, and was left open to accession by other states.

In other developments, the functions of assisting local police in protecting foreign diplomats on duty in the United States was transferred in March 1970 from the Department of State to the Department of the Treasury.

Details on these developments follow.

**Terrorism Convention.** The OAS Terrorism Convention makes a number of important contributions to international law, and it is expected to have an important deter-

ing effect. It does not eliminate the major criminal liability of some legal impediment, that state must prosecute under its own laws.

Contracting states are obliged to cooperate in preventing and punishing acts of terrorism and to prevent preparation in their own territories for the commission of crimes of the sort prohibited by the Convention to be carried out in the territory of another contracting state.

Finally, the Convention was opened for accession by states from outside the Western Hemisphere.

**Police protection.** The physical security of foreign diplomats while on duty in the United States is the responsibility of local police in the jurisdiction where the diplomats are at the time.

In the Capital, this responsibility is placed in the District of Columbia Metropolitan Police Department, which has long experience in protecting foreign diplomats and Embassies.

Assistance to the Metropolitan Police Department, and to local police elsewhere as necessary, is provided by the Executive Protective Service, which assumed that function in March 1970 under the provisions of P.L. 91-217. The Service is a component of the United States Secret Service, Department of the Treasury.

The Office of Security of the Department of State, formerly charged with this function, thus no longer has primary responsibility for the protection of foreign diplomats.

## OAS Terrorism Convention

The problem of kidnaping and other acts of terrorism against diplomatic representatives of the United States while on duty in other nations is a serious and continuing one.

In addition, kidnaping and attacks on diplomats of all nations have posed serious problems for the United States and for the rest of the international diplomatic community.

The need for a major Convention on this subject has been recognized and, under the leadership of the Organization of American States, much progress on such a Convention was made in FY 1971. The Department of State played a major role in the development of the Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance.

The United States and 17 other countries signed the Convention on February 2, 1971. Since the Convention is a treaty, it is subject to ratification; signature alone does not make the United States a party to it.

The Convention is awaiting Senate advice and consent to ratification.

## Provisions of Terrorism Convention

Following is a summary of major provisions of the Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance.

**Acts of Terrorism.** Article 1 commits the contracting states to cooperate by taking effective measures under their own laws and in accordance with the Convention to prevent and punish acts of terrorism, especially kidnapping, murder, and other assaults against the life or physical integrity of those persons to whom the state owes a special duty of protection under international law.

This provision extends to acts of terrorism generally, but incorporates no specific commitments. Rather, it establishes a general duty of cooperation that should guide the contracting states in their application of other provisions of the Convention.

**No asylum.** Article 2 provides that kidnapping, murder, and other assaults against the life or personal integrity of those persons to whom the state has the duty to give special protection according to international law, and related acts of extortion, shall be considered common crimes of international significance regardless of motive.

The provision established the principle that such crimes are not to be considered as political, and the clear intention of the OAS General Assembly is that the perpetrator of such offenses would not be eligible for diplomatic or territorial asylum and would be subject to extradition.

"Persons to whom the state has the duty to give special protection according to international law" include diplomatic agents, consular officers and members of their families, as well as other officials of foreign governments and officials of public international organizations.

**Extradition.** Article 3 states that persons charged with or convicted of crimes referred to in Article 2 shall be subject to extradition under the provisions of existing treaties or, in the absence of a requirement for a treaty, in accordance with relevant national laws. The effect of Articles 2 and 3 is to amend existing extradition treaties between contracting states to the extent of excluding the crimes referred to in Article 2 of this Convention from the exception to extradition for common crimes of a political character established in those extradition treaties. All other provisions of existing extradition treaties, excluding such substantive provisions as exemption for nationals,

of the state that may be asked to grant asylum or extradition to determine the nature of the acts and whether the Convention is applicable to a particular request for extradition. The negotiating history clearly indicates the provision reserves the right of the requested state to determine whether the facts bring the alleged offense within terms of the Convention. It does not make the application of the Convention discretionary.

**Due process.** Article 4 specifies that "any person deprived of his freedom through the application of this convention shall enjoy the legal guarantees of due process."

**Prosecution.** Article 5 requires a contracting state to withhold surrender of a fugitive charged or convicted of an offense specified in Article 2 either because the person sought is a national of the requested state or because of some other legal impediment, to submit the case to competent authorities for prosecution as if the act had been committed in its territory.

The Congress will be asked to enact legislation implementing the jurisdiction of the Federal courts in order to implement this provision of the Convention. The Department of State believes this provision is important to establish the principle that a person who commits one of the crimes covered by this Convention is a criminal subject to prosecution wherever he may flee.

**Political offenses.** Article 6 states that "none of the provisions of this Convention shall be interpreted so as to impair the right of asylum." This provision was included to express the purpose of the contracting states to enhance and not to impair the institution of asylum by excluding from its scope this class of common crimes regardless of motive.

The governments proposing this provision recognize as does the United States Government, that under existing international law and extradition practice, terrorist acts should not be regarded as political offenses. The OAS General Assembly on June 30, 1970, adopted a resolution to this effect by unanimous vote.

**Extraditable offenses.** Article 7 requires the contracting states to include the crimes described in Article 2 of the Convention as extraditable offenses in any future extradition treaty concluded among them.

To implement this provision, the United States Government believes it would be technically sufficient to include in that all future extradition treaties cover basic crimes against the person such as murder, kidnapping, and assault.

ected foreign officials. Article 7 also provides that states which, unlike the United States, do not make an extradition dependent upon a treaty obligation shall consider Article 2 offenses as extraditable offenses according to the conditions established in the laws of the requesting state.

Article 8 sets forth certain obligations of cooperation accepted by the contracting states to prevent or punish the crimes defined in Article 2 of the Convention. The contracting states agree:

(1) To take all measures within their power, in conformity with their laws, to prevent and impede the preparation in their respective territories of such crimes that are to be carried out in the territory of another contracting state;

(2) To exchange information and consider effective administrative measures for the purpose of protecting the persons referred to in Article 2;

(3) To guarantee to every person deprived of his freedom under the Convention every right to defend himself;

(4) To endeavor to have the criminal acts included in their penal laws, if not already so included; and

(5) To comply most expeditiously with the request for extradition concerning the criminal acts contemplated in this Convention.

**Ratification.** Articles 9-13 provide that the Convention will remain open indefinitely for signature by the member states of the Organization of American States and any other state, member of the United Nations or its specialized agencies, or party to the Statute of the International Court of Justice. Other states may be invited by the OAS General Assembly to sign. The Convention enters into force among the states that ratify it immediately upon deposit of their instruments of ratification.

## Assistance to Foreign Police

Programs of assistance to police in foreign nations, with strong new emphasis on enforcement of local laws that could help to interdict the flow of narcotics to the United States, are provided by the Department of State.

Through its Agency for International Development (AID), the Department provides assistance to civil security forces in friendly nations when requested and when it is in the interests of the United States to do so.

AID International Police Academy in Washington, D.C.; and the provision of selected items of police equipment.

Such police assistance is being provided to 24 countries. Included are Vietnam, Thailand, and Laos, where the level of insurgent violence placed additional burdens on the police forces of these nations.

Descriptions of these programs follow.

## Narcotics Control Assistance

The resources of the Office of Public Safety have been brought to bear on the problem of narcotics traffic in the United States by assisting police in foreign nations in stemming the flow of narcotics at the source.

"Police" in this instance includes paramilitary units within civil police organizations and paramilitary forces such as gendarmeries, constabularies, and civil guards which perform police functions and have as their primary mission the maintenance of internal order.

Activities of the Office of Public Safety in this area are described below.

**Background.** In his June 17, 1971, message to the Congress, President Nixon outlined a coordinated Federal response to an urgent demand that the society be protected from illicit narcotic traffic and drug abuse. The Agency for International Development has been active in the past in attempting to deal with this problem at the source and will continue or expand these efforts, within its resources, in accordance with needs and opportunities.

Through its Ambassadors, the Department of State has the primary responsibility for carrying forward the President's program in foreign lands. In the enforcement area, each Ambassador is drawing on the resources of the Bureau of Narcotics and Dangerous Drugs, the Bureau of Customs, and the Office of Public Safety of AID to assist indigenous police forces in their task of enforcing narcotics laws.

**General goals.** The Office of Public Safety is the instrument through which AID assistance to civil security forces of friendly nations is provided when requested and when it is in the interest of the United States to do so.

Currently, Office of Public Safety assistance in the field, involving advisers assigned, is being provided to 24 countries. Since 1962, Office of Public Safety assistance has been provided to 27 countries.

During FY 1973, there will be Office of Public Safety programs in 22 countries, which have been requested by the host country and which are designed to overcome institutional deficiencies and weakness in ability to protect life and property and maintain order with a minimum use of force. In Southeast Asia, Office of Public Safety efforts are also striving to help the police meet their responsibilities for coping with high levels of violence in insurgency-threatened societies.

**Narcotics law enforcement.** The enforcement of narcotics laws is only one aspect of the broad spectrum of responsibilities given to a nation's civil police forces by law. To be most effective, narcotic enforcement efforts should be able to draw on and benefit from the resources of the entire force. The patrolman on the beat and all other police personnel, up to and including top police leaders, should be sensitized to the narcotics problem in order to obtain the maximum information from the people they serve. In short, effective narcotic enforcement results from a total police force effort. The Office of Public Safety program represents a unique U.S. asset in attempting to reach this goal.

It is recognized that the foreign government must have a will to solve the narcotics problem which it faces and that its police must enforce the narcotics laws. The United States cannot do it for them. The United States can help, however, in motivating them toward solving the problem and can provide them with assistance to develop their capabilities to do so.

**Technical assistance.** The Office of Public Safety is playing a key role, not in the assumption of operational intelligence gathering or other operational responsibilities, but as builders of the police institution in which narcotics enforcement works most effectively. The Office of Public Safety, through technical assistance (i.e., training, technical advice, and, where necessary, commodity support), is assisting in the development of the civil police institution as a whole, in establishing the narcotic enforcement mechanism of the institution, and in improving the professional capabilities of all individuals responsible for the enforcement of narcotics laws.

During this process, particularly through advisory assistance and training, police leaders and other personnel can be motivated toward dealing with the narcotics problem. Specialized training at the International Police Academy in narcotics enforcement is a resource that continues to be available.

**Narcotics traffic.** Some advances have been made in the fight against the illicit movement of narcotics to U.S.

shores. But much more needs to be done. Effective enforcement of a nation's narcotics laws is the first interdiction of the narcotics flow to the United States can occur.

**Examples.** At the present time, narcotics assistance in existing selected Office of Public Safety programs covers a considerable geographic spectrum.

Descriptions of major projects follow.

(1) In Vietnam, the Office of Public Safety began modest assistance to the South Vietnamese in the narcotics enforcement area in 1966. Since that time, special courses have been provided in the police academy for narcotics to more than 1,000 police officers. At the present time 456 of these officers are assigned full time to the country on narcotics investigation teams, increasing effectiveness. Office of Public Safety is closely coordinated with efforts of representatives of BNDD and the Bureau of Customs.

(2) In Thailand, U.S. assistance is attempting to develop key elements of the Thai National Police so that they can deal with a growing narcotics problem. Office of Public Safety advisers are working in coordination with representatives of BNDD, the Bureau of Customs under the Ambassador's guidance, and direction.

(3) In Laos, Office of Public Safety advisers are working with representatives of BNDD and the Bureau of Customs. The Office of Public Safety program is attempting to develop civil police capabilities to enforce the enacted narcotics law. Efforts are now focusing resources on the problem of illicit narcotics flow from the Golden Triangle, a major opium producing area in Burma, Laos, and Thailand meet.

(4) In the Philippines, the Office of Public Safety started to strengthen the narcotics enforcement capabilities of the National Bureau of Identification and Investigation of numerous municipalities, particularly those near military bases.

(5) In Jamaica, modest Office of Public Safety assistance is now working to bolster police abilities to deal with the marijuana trafficking problem and a new problem has surfaced involving hard drugs.

**Mission coordinators.** Office of Public Safety assistance in four countries have been designated as mission coordinators by the Ambassadors there (Philippines, Zaire, and Costa Rica) and are responsible for coordinating all U.S. efforts to help in dealing with the narcotics problem.

**Other plans.** In other countries where Office



Safety advisers are stationed, police institution-building objectives continue to be pursued. At the same time, efforts are being focused on the orientation of the entire police institution to prevent and cope effectively with narcotics problems. Additionally, plans are being refined for additional Office of Public Safety assistance to some of these same countries and to some others for the purpose of bringing to bear all police resources to deal with the narcotics abuse and trafficking problem.

## International Police Academy

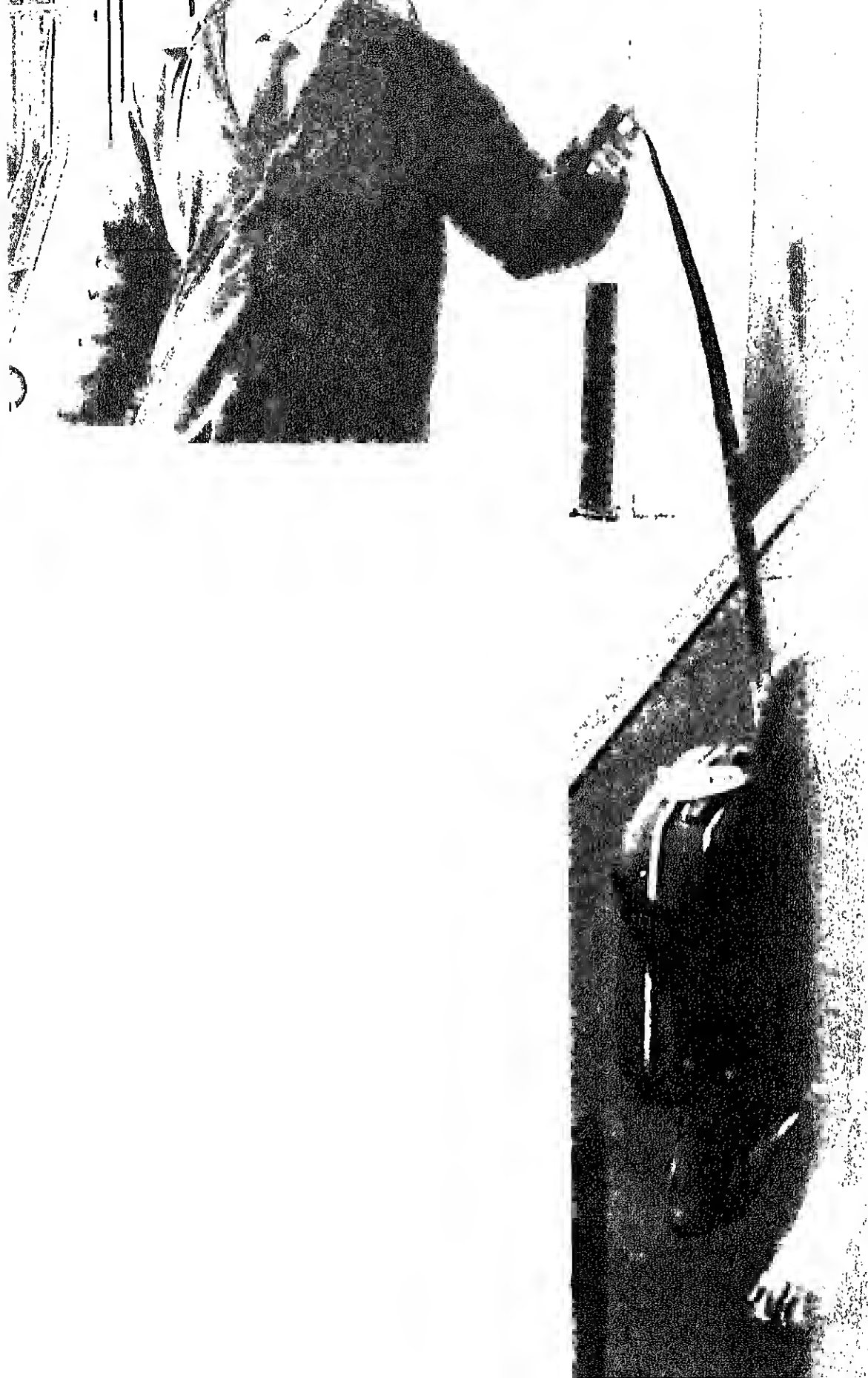
Established in 1963, the International Police Academy was the first institution developed by one nation solely for the training of foreign police officials of other countries. It provides a forum for the exchange of professional ideas and a medium for the emphasis of modern philosophies and procedures.

At the present time, 13 national police agencies are commanded by graduates of IPA, and 3,932 police officers from 73 countries in ranks corresponding to lieutenant through lieutenant general have graduated from the Academy. Academy graduates and overseas advisers of the Office of Public Safety serve as valuable contacts overseas for Department of Justice representatives when needed.

**Resources.** The International Police Academy is located in Washington, D.C., in leased space and is provided support by certain other elements of AID. The yearly cost for the operation of the Academy, which does not include those costs for in-country travel and per diem for each participant, as of 1969 was \$1.35 million; 1970, \$1.43 million; and 1971, \$1.53 million. These costs included salaries for the staff of the Academy, which numbered 54 in 1969 and 1970, and 56 in 1971.

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The cultivation of opium poppies in foreign countries is a major concern in Department of State efforts to control international narcotics traffic.





The Department of the Treasury shares with the Department of Justice major responsibilities for the detection and apprehension of violators of Federal criminal law.

Taken together, the two departments constitute the principal elements of Federal investigative, arrest, and prosecutive power.

Areas of special concern have been defined by Congress for the Department of the Treasury. These include supervision of laws relating to income and other taxes, customs, counterfeiting of currency, and protection of the President and other officials, to name some important areas.

But in other major areas, Department of the Treasury law enforcement efforts mesh closely with those of other departments, especially the Department of Justice. These areas are, primarily, those of organized crime and narcotics and dangerous drug traffic, but they include air piracy and regulation of explosives as well.

**Organized crime and narcotics traffic.** The Department of the Treasury has developed a number of programs to combat organized crime and traffic in narcotics and dangerous drugs.

Those programs are reported on in detail in this chapter, but it is worthy of special note that the Internal Revenue Service and the Bureau of Customs have innovative and promising programs in these areas.

The Internal Revenue Service has tried with increasing success to bring tax laws to bear on persons engaged in illicit activities and deriving large sums of unreported income from those activities. These persons have included in recent cases a number of figures engaged in organized crime and narcotics traffic.

Conversely, however, organized crime has made recent attempts to penetrate and influence the Internal Revenue Service, requiring special vigilance by the unit responsible for maintaining the integrity of the Internal Revenue Service, the Internal Security Division.

The Bureau of Customs has mounted a major campaign against the illegal importation of narcotics and dangerous drugs and against organized crime. It has developed a number of new programs, including one under which "blitz" customs searches are conducted at preselected ports of entry. These searches feature 100-percent examinations of certain imported containers and merchandise.

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Detector dog aids Bureau of Customs in searching out marijuana in airport luggage.

**Background.** The Department of the Treasury was created by the Act of Congress of September 2, 1789 (1 Stat. 65; 31 U.S.C. 1001), to manage the fiscal affairs of the Nation.

President George Washington appointed Alexander Hamilton as the first Secretary of the Treasury.

In addition to its law enforcement activities, the Department of the Treasury formulates and recommends to the President policy and action on taxes, international finance, and fiscal matters significantly affecting the economy, including policy on the public debt and international trade.

The Department also accounts for public moneys, issues Government checks, issues and promotes the sale of U.S. Savings Bonds and other Government securities, collects internal revenue and customs duties, supervises national banks, and manufactures currency, coins, and postage stamps.

**Enforcement and Operations.** Assistance to the Secretary and to the Under Secretary on all law enforcement matters is provided by the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations). The Assistant Secretary makes initial formulation of law enforcement policies for all Department of the Treasury law enforcement activities, and coordinates Department law enforcement cooperation with other Federal agencies and with State and local law enforcement agencies.

Development and coordination of Department of the Treasury law enforcement policy is carried out for the Assistant Secretary by the Office of Law Enforcement.

Among the constituent bureaus and agencies of the Department of the Treasury, the Assistant Secretary supervises the United States Secret Service; the Bureau of Customs; and the Consolidated Federal Law Enforcement Training Center, which trains Federal investigators and Customs Security Officers (sky marshals). The Assistant Secretary also is the United States representative on the International Criminal Police Organization (INTERPOL).

The only major law enforcement activities of the Department of the Treasury not under the direct line responsibility of the Assistant Secretary are those of the Internal Revenue Service and the Office of the Comptroller of the Currency.

agencies. Brief descriptions of the activities of these offices and agencies follow. Complete reports on their programs and FY 1971 activities are presented in the other sections of this chapter.

**Office of Law Enforcement.** The Office of Law Enforcement, headed by a Director under the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations), develops and coordinates all Department of the Treasury policy on national and international law enforcement programs, including narcotics and dangerous drugs and organized crime.

**Internal Revenue Service.** The Internal Revenue Service (IRS) is charged with the assessment and collection of nearly all Federal taxes derived from internal sources, and issues rules and regulations implementing the Internal Revenue Code. The following divisions carry out the IRS program:

(1) The Intelligence Division investigates cases requiring exhaustive inquiry. The Division investigates alleged tax fraud cases, except those relating to alcohol or tobacco taxes, and allied offenses. Most common violations are attempted tax evasion and willful failure to file returns. The Division has a special enforcement program aimed at taxpayers who derive income from illicit activities, especially organized crime and narcotics traffic.

(2) The Audit Division is a civil enforcement group, but supports the Intelligence Division by detecting potential criminal cases, by following up the criminal investigations with civil actions, and by providing audit and tax law expertise.

(3) The Internal Security Division centers its activities on the integrity of the IRS, attempted corruption of employees, the investigation of incidents involving IRS employees, and criminal and administrative sanctions imposed upon offenders.

(4) The Alcohol, Tobacco, and Firearms Division enforces Federal laws relating to those three areas, and recently has been given new responsibilities in regard to regulation of guns and explosives. Effective July 1, 1972, the Alcohol, Tobacco, and Firearms Division became a full Treasury Bureau under the direct supervision of the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations). All policy direction was assumed on March 8, 1972.

**United States Secret Service.** The Secret Service protects the President of the United States and his family, the Vice President, and other designated officials and dignitaries. It also suppresses counterfeiting and investigates cases of forgery of Government checks and other documents.

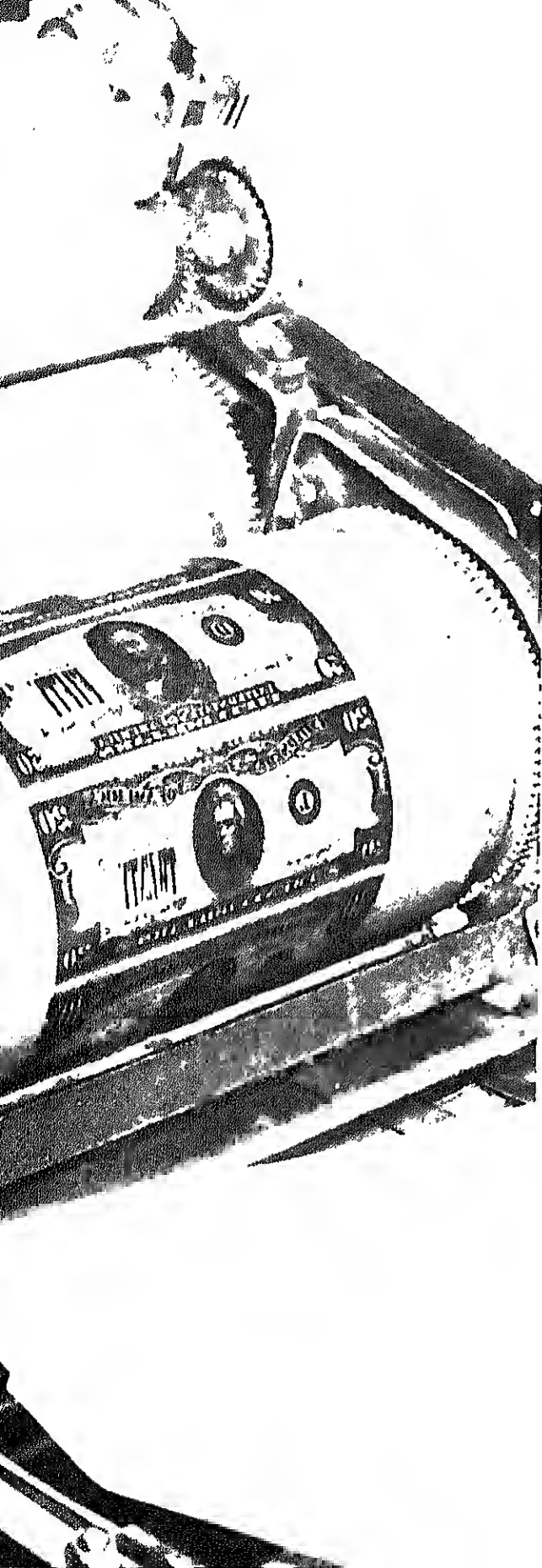
**of Customs.** The Bureau of Customs enforces the 1 of duties on goods entering the United States from foreign countries, working under laws quarantining dangerous articles from being imported into the United States. The Bureau also protects American aircraft and passengers from hijacking. It identifies and suppresses smuggling and is especially concerned with the



Confiscated weapons are inspected by Department of the Treasury officials.

**Comptroller of the Currency.** The Comptroller of Currency, an integral part of the national banking system, enforces Federal banking laws and promulgates regulations governing the operation of approximately 4,000 banks in the United States.

**INTERPOL.** INTERPOL promotes wide cooperation and assistance among 111 member countries to combat crime in their nations. The Department of the Treasury has represented the United States since 1938 in INTERPOL and operates the U.S. National Center for the Exchange of Information on Crime.



**Consolidated Federal Law Enforcement Training Center.** The Consolidated Federal Law Enforcement Training Center, organized in 1970, provides legal and technical enforcement training for agents of participating agencies. The Center also operates the Treasury Air Security Officer School to train Customs Security Officers (sky marshals).

## Office of Law Enforcement

All Department of the Treasury policy on law enforcement matters, especially on national law enforcement programs such as suppression of narcotic and dangerous drug smuggling and organized crime, is developed by the Director, Office of Law Enforcement.

This Office was established by the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations) under Treasury Department Order 220 (36 CFR 8062) to carry out all law enforcement functions at the highest level within the Department.

**Functions.** The main functions of the Office of Law Enforcement are as follows:

(1) Treasury law enforcement includes the functions of the Bureau of Customs; the Secret Service; and within the Internal Revenue Service, the Intelligence and Alcohol, Tobacco, and Firearms Divisions and the enforcement aspects of the Audit Division, all of which report to the Assistant Commissioner (Compliance). It also includes IRS Inspection, which is responsible for the integrity of the Service.

(2) Effective July 1, 1972, the Alcohol, Tobacco, and Firearms Division became a full Treasury Bureau under the direct supervision of the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations). All policy direction was assumed on March 8, 1972.

(3) Since establishment in 1970, the Office of Law Enforcement has progressed in many ways to institutionalize in the Office of the Secretary for the first time proper supervision of Treasury-wide law enforcement activities. The Assistant Secretary utilizes the Office of Law Enforcement for general review and programming of law enforcement activities.

(4) The Office of Law Enforcement further provides the focal and contact point at the Office of the Secretary level for all law enforcement and intelligence initiatives and interactions with the individual bureaus of the Treas-

(5) The Office of Law Enforcement also assists in bringing about the most effective cooperation between the several Treasury Bureaus and the State, local, and other national law enforcement agencies by keeping abreast of law enforcement developments and problems of the bureaus and legislative and regulatory developments in the States and local units of government which might affect Treasury law enforcement intelligence, and by arranging the optimum deployment and cross utilization of resources.

(6) The Office of Law Enforcement further evaluates Treasury's law enforcement training needs and experience and provides input on training requirements in terms of new or changed curriculum to the Director, Consolidated Federal Law Enforcement Training Center. It also maintains close liaison with the Director and all Treasury enforcement agencies on training needs and effectiveness.

(7) In addition, the Office coordinates Treasury policies and programs for research and development and conducts specific testing programs for law enforcement; provides leadership to the Treasury Laboratory Coordination and Review Board; sponsors research into law enforcement techniques and approaches related to the Department's law enforcement mission; and exploits the latest developments in enforcement-related technology.

## Narcotics and Dangerous Drugs

The Office of Law Enforcement has worked closely with the Bureau of Customs to intensify the Department of the Treasury effort to interdict the flow of drugs being smuggled into the country. The result of this effort has been a vast increase in the amount of narcotics, dangerous drugs, and marijuana seized during FY 1971.

Office of Law Enforcement de-  
toxic Trafficker Program in  
coordinated program for  
middle- and upper-echelon  
involved in narcotics

narcotics distribution  
criminal tax viola-  
tion profits through

cooperation with  
Department of Justice,  
Bureau of Narcotics and

been indicted on criminal charges, and five have been convicted. Additionally, IRS collected \$50 million and assessed approximately \$50 million in penalties (program.) This will require 200 Special Agents, and 141 supplemental personnel.

**Task forces.** In addition, the Office of Law Enforcement is represented on various task forces within the Department, working on various national and international aspects of the narcotics program. The Office provides staff support to the Secretary, who is a member of the Cabinet Committee on International Narcotics Control (CCINC), and to the Assistant Secretary. The Office represents Treasury on the working group of the Representatives of the Office of Law Enforcement on numerous coordinating, functional, and general subcommittees established to help formulate international policies and programs for carrying out the Administration's international narcotics control program.

## Organized Crime

The Office of Law Enforcement plays an important role in the coordination of day-to-day matters relating to the participation of the Department in the organized crime forces of the Department of Justice. This includes responding to technical inquiries involving special investigations as well as a general reviewing and programming of the total manpower and resources committed to this anticrime effort.

**National Council.** The National Council on Organized Crime was established to provide interagency coordination to the drive against organized crime. The Office of Law Enforcement is represented on, and actively participates in, the work of several staff committees of the Council.

## Internal Revenue Service

Enforcement of Federal tax laws and related matters, ranging from investigation of organized crime and narcotics traffickers to regulating explosive materials, are responsibilities of the Internal Revenue Service.

Enforcement of tax laws is directed first at raising revenue for the Treasury of the United States.

In FY 1971, that revenue reached a record of almost \$200 billion, virtually all of it raised through assessment and voluntary compliance by millions of American taxpayers.

A small percentage of the population attempts to cheat and various forms of willful noncompliance, or simply attempted to produce unreported income from illicit activities. Still other persons, including organized crime interests, attempted to corrupt the integrity of the Federal tax system by influencing IRS personnel.

Those violators are of concern to IRS because of the loss of revenue represented by their noncompliance. The Service enforces tax laws vigorously against such violators, recommending prosecution under criminal statutes or imposition of civil sanctions, as appropriate.

**Federal anticrime drive.** IRS recently has become involved in the overall Federal drive against

Congress established the Office of the Commissioner of Internal Revenue by the Act of July 1, 1862 (12 Stat. 432; 26 U.S.C. 3900), giving the Commissioner the power to assess, levy, and collect taxes and to enforce the law through seizure and prosecution.

The Sixteenth Amendment to the Constitution, granting to the Congress the power to tax income "without apportionment among the several States, and without regard to any census or enumeration," became effective on February 25, 1913. Congress promptly passed the Revenue Act of 1913, enacted on October 3, 1913, imposing taxes on incomes of both individuals and corporations.

**Tax code.** Current Federal tax laws are codified in Title 26 of the United States Code, commonly referred to as the Internal Revenue Code.

The Code provides for criminal sanctions, including imprisonments and fines for serious violations, as well as for civil penalties for lesser infractions or failures.

Under provisions of the Internal Revenue Code, IRS promulgates regulations that have the force of law.

Criminal prosecution and civil litigation to enforce Federal tax law and IRS regulations are responsibilities of the Tax Division of the Department of Justice.

**Revenues.** Revenue for the operation of the Federal Government and for its financial assistance to the States is derived largely from individual and corporate income taxes. Other major sources are excise, estate, gift, and employment taxes.

Congress determines which tax revenues are deposited in the Treasury and are available for paying the public obligations of the Federal Government.

Congress also can specify that certain public moneys are deposited in Trust Funds and are not available for general public expenditures. The most notable example is the Social Security Trust Fund; contributions to the Federal Insurance Contribution Act are credited by the Department of the Treasury directly to the Trust Fund.

## Divisions of IRS

IRS carries out its law enforcement functions through four divisions: Intelligence; Audit; Internal Security; and Alcohol, Tobacco, and Firearms.<sup>1</sup>

**Intelligence.** The Intelligence Division investigates possible criminal violations of most tax laws, including income, excise, estate, gift, and employment tax statutes

<sup>1</sup> Effective July 1, 1972, the Alcohol, Tobacco, and Firearms Division became a full Treasury Bureau under the direct supervision of the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations). All policy direction was assumed on March 8, 1972.

and related statutes covering interference, aiding and abetting, and conspiracy to violate the tax laws. The most common offenses involved are willful attempts to evade and defeat the tax and willful failure to file returns. Fraud is usually the motive for the violations.

**Audit.** The Audit Division examines returns and supporting records for accuracy and correct reflection of taxable income. The issues are usually civil only, but the Division also cooperates with the Intelligence Division in criminal tax investigations by supplying expertise on the technical aspects of tax law. The Audit Division also refers cases to the Intelligence Division where it has uncovered indications of fraud.

**Internal Security.** The Internal Security Division is concerned with the integrity, honesty, and conduct of IRS employees and also with most cases of outside attempts to corrupt or interfere with the administration of IRS.

**Alcohol, Tobacco, and Firearms.** The Alcohol, Tobacco, and Firearms Division enforcement functions deal with criminal violations relating to the production and distribution of distilled spirits, wine, and malt liquor; the Gun Control Act of 1968; the regulation of explosives; and the arms import provisions of the Mutual Security Act of 1954.

## Intelligence Division

Violators of criminal tax laws, including those who derive unreported income from organized crime, narcotics traffic, bribery, extortion, and other illicit activities, face investigation by the Intelligence Division of the IRS.

The Intelligence Division operates a number of law enforcement programs, ranging from investigations of willful noncompliance with tax laws to training sessions for State, local, and foreign tax investigators.

**Enforcement programs.** The Intelligence Division conducts two major enforcement programs.

The Special Enforcement Program is aimed at persons engaged in illicit activities, especially organized crime figures and middle- and upper-echelon narcotics traffickers and dope financiers.

The Division may recommend prosecution for criminal violations or it may recommend the invoking of civil sanctions against taxpayers.

The General Enforcement Program is aimed at cases involving legitimate businesses and professional occupations.

Willful noncompliance. The Intelligence Division is charged with probing cases of willful noncompliance with the tax laws. It investigates cases ranging from unreported income by moonlighting municipal employees to stock swindles.

In addition, the work of the Intelligence Division occasionally turns up cases of corruption of public officials, including those engaged in bribery, extortion, or conspiracy.



Internal Revenue Service officials make routine check of bank deposits.

**Other activities.** Intelligence Division personnel were detailed for special activities, such as serving as sky marshals until a permanent force could be established and trained to cope with air piracy. During FY 1971, the Division contributed 1,763 man-days to this function.

Special agents of the Division also expended 2,059 man-days in protection for foreign dignitaries in New York City during observance ceremonies for the 25th anniversary of the United Nations in October 1970.

IRS considers the work of the Intelligence Division to have a deterrent effect on potential violators, arising from public awareness of tax investigations and prosecutions. That public awareness also tends to raise general confidence in the fairness and integrity of the Federal tax system.

**Background.** By 1919, many serious complaints were reaching the Commissioner of Internal Revenue relative to tax frauds and charges of irregularities involving employees of the Internal Revenue Service. Consequently, on July 1, 1919, the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury and

the Postmaster General, established the Intelligence Division by effecting the transfers of six experienced Post Office Inspectors. The initial purpose of the Intelligence Division was to direct the supervision of important investigations demanding more exhaustive inquiry than could advantageously be made by officers assigned work of a general nature.

**Mission and authority.** The present mission of the Intelligence Division is to encourage and achieve the highest possible degree of compliance with tax law by:

- ☐ Identifying the areas and extent of willful noncompliance with income, estate, gift, employment, and certain excise tax laws; and
- ☐ Investigating alleged or possible criminal violations of such laws (sections 7201 through 7212, Internal Revenue Code), and recommending, when warranted, prosecution or assertion of appropriate civil penalties.

In addition, the Division is responsible for measuring the effectiveness of the investigative process; for protecting Internal Revenue Service employees and property; and for investigating threats and assaults of IRS employees.

The budget of the Division was approximately \$48,806,000 for the fiscal year.

**Prosecutions and penalties.** In FY 1971, the Intelligence Division completed prosecution of 1,369 cases, compared with 1,112 in FY 1970 and 1,102 in FY 1969.

The Division proposed deficiencies and penalties in fully investigated cases amounting to \$196,218,000 in FY 1971, compared with \$147,894,000 in FY 1970 and \$102,558,000 in FY 1969. Prosecution was recommended in those cases. Those amounts were exclusive of interest and fines.

Where the stringent legal requirements for proof of tax fraud could not be satisfied, cases were referred to the Audit Division of IRS for civil settlement of taxes, interest, and penalties.

## Organized Crime and Narcotics

The Special Enforcement Program concerns itself with those taxpayers engaged in illicit activities. Under this program, the Intelligence Division participates in the Department of Justice strike forces against organized crime and most recently the Department of the Treasury efforts against major narcotics traffickers.

**Narcotics program.** This narcotics program was developed in the latter part of FY 1971 to utilize the tax laws to disrupt the narcotics distribution system. The purpose of the program is to prosecute middle and upper echelon narcotics traffickers and financiers for criminal tax violations and to reduce the profits of the narcotics traffic by assessing and collecting taxes on the illicit income derived from this pernicious trade.

During the first quarter of FY 1972, 100 special agents and 100 revenue agents in 23 IRS districts will be assigned to conduct active investigations of narcotic traffickers. These agents will receive orientation training in Washington, D.C., regarding narcotics trafficking. An additional 100 special agents and 100 revenue agents will be assigned to this project during FY 1972.

**Criminal actions.** Following are examples of Intelligence Division activities that culminated in criminal proceedings during FY 1971:

- ☐ A former attorney in Detroit, Mich., who represented racket figures, was sentenced to 2 years in prison for failing to file his income tax returns.
- ☐ A national distributor of pornographic material in Los Angeles, Calif., was sentenced to serve 36 months on probation for evading his income tax.
- ☐ A narcotics trafficker in Florida was sentenced to serve 45 months in prison for income tax violations.
- ☐ A New Jersey racket leader was indicted on charges of income tax evasion.
- ☐ The son of a former crime chief in the New York area was sentenced to serve 1 year in prison for attempting to evade payment of his taxes.
- ☐ The operator of the largest parimutuel numbers lot-

tery in Michigan was sentenced to 10 years in prison for income tax evasion.

**Civil sanctions.** In the fight against organized crime, IRS not only is using the criminal sanctions available but is effectively utilizing civil tax sanctions.

During FY 1971, exceptional success was achieved in the collection of taxes from racketeers as a result of the close cooperation and working relationships that Intelligence enjoys with Federal, State, and local enforcement agencies. Two examples follow:

(1) In a large midwestern city, close cooperation with the Bureau of Narcotics and Dangerous Drugs, Department of Justice, resulted in jeopardy assessments and securing money seized during raids from narcotics dealers. During FY 1971, a total of \$506,343 was obtained in this manner.

(2) In a large eastern city, the Intelligence Division was notified of seizures of currency by the Federal Bureau of Investigation and by State and local police on 17 different occasions during the last quarter of FY 1971. The seizures were based on gambling and narcotic violations. Currency totaling \$114,721 was attached based on deficiencies resulting from termination of the subjects' taxable year or jeopardy assessments based on examination of prior returns.

## General Enforcement Program

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were interested. The protected parties or functions paid the police department, whose payroll activity paid the police involved.

**Stock swindles.** Promoters and brokerage firms located in a western State were found to be dealing in the sale of worthless mining stocks. Substantial amounts from the sale of this stock were omitted from the income tax returns filed by the promoters. Additional investigation disclosed that this practice extends to at least 22 States throughout the country. One investigation has recently been concluded with a recommendation for prosecution involving taxes and penalties totaling \$3,000,000.

**Retail-wholesale sales.** An investigation of a closely held corporation in retail sales disclosed that unreported sales were being used to purchase merchandise with cash from manufacturers. The manufacturers sold their goods at a lower price provided payment was made with cash rather than by check. Indications are that cash totaling \$425,000 was paid in this manner to manufacturers.

## Corruption of Public Officials

Intelligence Division investigations of alleged corruption of public officials occasionally result in evidence not only of tax law violations but also evidence of extortion, bribery, and conspiracy.

Following are examples of criminal actions that occurred in FY 1971:

- ☐ The former mayor of Newark, N.J., was sentenced to 10 years in prison and a \$25,000 fine.
- ☐ The district attorney for New Orleans, La., was indicted, together with two high ranking officers of the New Orleans Police Department.
- ☐ The former Governor of West Virginia was sentenced to 12 years in prison and a fine of \$50,000 for being a juror during a previous trial that resulted in an acquittal.
- ☐ The former Alabama attorney general was sentenced to serve 8 years in prison.
- ☐ The former mayor of Jersey City, N.J., was sentenced to 15 years in prison.

## Training Assistance

During FY 1971, the Intelligence Division trained enforcement personnel from other jurisdictions in the Special Agent Basic School (SABS). These individuals were sponsored by the Law Enforcement Assistance Administration (LEAA), and represented 24 States, Puerto Rico, and Guam. Tax agents from Singapore and South Korea also participated.

SABS provides training in the techniques of financial investigations and the applicable law. Special agents from the Intelligence Division attended the classes with other enforcement personnel.

Special sessions were also conducted for tax officials from Brazil and Lebanon under sponsorship of the

(4) A real estate promoter was sentenced to 5 years imprisonment on charges of evading \$600,000 in corporate income taxes for 2 years. This same taxpayer was sentenced in 1965 to pay a fine of only \$100 for failing to file individual and corporate returns for 3 years.

(5) A former philosophy professor was sentenced to 1 year in prison for supplying a false and fraudulent Employee's Withholding Exemption Certificate to his employer. The taxpayer was opposed to United States involvement in Vietnam. He asserted that 14 additional dependents claimed by him consisted of "several million Vietnamese, the peasants of South America, and the poor black and white of America."

(6) A multi-millionaire former clothing manufacturer was sentenced to serve 3 months in prison for evading nearly \$500,000 in corporate income taxes. At the time of the evasion, he controlled 15 manufacturing companies.

(7) The president and executive vice president of the largest trailer manufacturing corporation in the country were indicted on charges of attempted evasion of the manufacturers' excise tax liability.

## Willful Noncompliance

The Intelligence Division expended nearly 10 percent of its manpower during FY 1971 in carrying out its mission to identify the extent of willful noncompliance with the tax laws.

The Division gathered intelligence data independently and in collaboration with the Audit Division of IRS in programs designed to identify significant noncompliance situations.

The benefits of these activities are twofold. First, the Division learns the location and magnitude of problem areas, as well as current developments in tax fraud schemes and techniques. Second, because of the resulting familiarity with compliance, the Division can more judiciously allocate its resources to those enforcement activities having the greatest deterrent potential.

Descriptions follow of examples of noncompliance cases developed by Intelligence Division investigations in FY 1971.

**Monnlighing income.** The Intelligence Division has found that payments made outside of regular payroll procedures are frequently not included in the recipient's tax return. In one large city, the Division discovered that off-duty compensation was being disbursed to policemen through the police commissioner. Payments totaling \$3,400,000 over a 2-year period were matched, by com-

financial investigative techniques workshop was conducted for 30 State and local police officials and State tax agents in Michigan.

Special agent training materials and advice have been furnished to other law enforcement agencies. Intelligence officials participated as panel moderators and workshop leaders in six LEAA-sponsored regional training conferences on organized crime, attended by State and local law enforcement officers, and judges, and by Federal, State, and local prosecutors.

## Audit Division

Cheating taxpayers or taxpayers who commit certain other violations of criminal tax law may be identified by the Audit Division of the Internal Revenue Service (IRS).

The Audit Division refers indications of violations of criminal law to the Intelligence Division for investigation and appropriate action. It also provides the Intelligence Division with audit and tax law expertise during criminal investigations, and also in the Treasury IRS-Narcotics Trafficker Program.

**Mission.** The mission of the Audit Division is to encourage and achieve the highest possible degree of voluntary compliance with the requirements of the Internal Revenue laws for the correct reporting of income, estate, gift, employment, and certain excise taxes.

It does so through measurement of the types and degrees of compliance and noncompliance in reported tax liabilities, the determination and analysis of the reasons for noncompliance, and the reduction of noncompliance.

Audit Division measurements of compliance or noncompliance are achieved primarily by examining tax returns and the underlying records of the taxpayer.

**FY 1971 activities.** During FY 1971, the Audit Division employed 22,341 people at a total cost of \$357,621,000, realized 8,602 direct examination man-years, and examined 1,645,929 returns. Of the direct examination man-years expended, 6.57 percent or 565 were for the purpose of rendering expert technical tax law assistance to the Intelligence Division.

**Organized crime.** The Audit Division is represented on the organized crime strike forces of the Department of Justice, as appropriate, providing audit and tax law expertise.

## Internal Security Division

Efforts to corrupt or compromise the Internal Revenue Service (IRS), including recent attempts by organized crime elements to influence it, are investigated by the Internal Security Division.

The Division initiates prosecution of IRS employees, former employees, taxpayers, and tax practitioners, among others, in cases involving efforts to compromise the integrity of the IRS.

Typical crimes include attempts at bribery, inducing

former agents, public accountants, and organized crime figures.

Reports on the activities of the Internal Security Division follow.

**Mission.** The mission of the Internal Security Division is to assure maintenance of the highest standards of honesty, integrity, loyalty, security, and conduct among IRS employees. It is a fact-finding agency with authority to conduct criminal and administrative investigations, to execute and serve search and arrest warrants, and to serve Federal subpoenas and summonses.

**Authority.** In 1952, in an atmosphere of congressional criticism and diminishing taxpayer confidence resulting from indications of malfeasance within the IRS, Congress prescribed a reorganization of IRS, including establishment of an independent organization to examine and investigate IRS operations.

Shortly thereafter, the Commissioner of Internal Revenue placed all internal audit and internal security activities under an Internal Revenue Inspection Service. Later in 1952, the Director of the Inspection Office was made an Assistant Commissioner of Internal Revenue.

The Inspection Service now has two divisions—Internal Security and Internal Audit.

**Laws enforced.** The principal provisions of the Internal Revenue Code with which the Internal Security Division is concerned are: section 7201, willful attempt to evade or defeat any tax; section 7206, aiding and abetting; section 7212, corrupt or forcible interference; and section 7214, extortion by employees, commission of an act with intent to defraud, and conspiracy to defraud.

Other provisions of law enforced by the Division appear in 18 U.S.C., namely, section 201, bribery and graft; section 207, perjury; section 341, embezzlement; and section 7803, failure to account properly for money or property.

**Activities.** The Internal Security Division conducts background investigations of IRS applicants and investigations into alleged or discovered misconduct by IRS employees or by tax practitioners. It investigates accidents involving IRS personnel or property and it conducts other investigations or studies when requested by the Commissioner of Internal Revenue, the Secretary of the Treasury, and other appropriate officials.

In addition, the Division furnishes manpower for special assignments arising from programs under the jurisdiction of other enforcement agencies of the Department of the Treasury. Thus, Internal Security Inspectors assist in protecting visiting dignitaries, in providing security for aircraft and passengers of U.S. airlines, and in training other Federal investigators attending the Treasury Law Enforcement School and similar programs.

**Resources.** The Internal Security Division operates a nationwide organization consisting of a national office, seven regional headquarters, and 27 other duty posts.

These offices are manned by about 350 Internal Security personnel.

Federal and local law enforcement agencies. Statistics show that during FY 1969, 9,200 man-hours were spent in these programs; this figure dropped to 1,892 man-hours in FY 1970 but increased to 26,084 man-hours during FY 1971.

**Prosecutions initiated.** Initiation of prosecutions reached a 3-year peak in FY 1971. A total of 66 individuals were arrested or indicted. Only 12 of these were employees or former employees of IRS, while the remaining 54 were taxpayers or tax practitioners.

Prosecutions were based on charges of inducing an IRS employee to divulge confidential information, attempted bribery, willfully filing a false or fraudulent form, paying a gratuity, embezzlement, or conspiracy.

Total arrests and indictments for those offenses for the past 3 fiscal years are as follows: employees or former employees of IRS—12 in FY 1969, 21 in FY 1970, and 12 in FY 1971 for a total 45; and taxpayers, tax practitioners, and others—44 in FY 1969, 37 in FY 1970, and 54 in FY 1971, for a total of 135.

**Convictions.** During FY 1971, 70 defendants were convicted of various criminal activities involving attempts to compromise the integrity of IRS through corruptive acts. This represents a 52 percent increase over the prior year. Of these, 54 were nonemployees and 16 were employees or former employees.

Forty-eight individuals in this group entered pleas of guilty instead of being tried before a jury.

**Cases pending.** As of the end of FY 1971, trial or indictment was still pending as to 75 taxpayers or tax practitioners and 28 IRS employees or former employees. As of the end of the prior fiscal year, prosecutive action was pending as to a total of 133 persons.

## Bribery Attempts Reported

The IRS program of education and indoctrination of employees in their responsibilities in reporting suspected bribery attempts shows increasingly effective results.

During FY 1971, 134 IRS employees reported possible attempts to bribe, resulting in 47 arrests, an all-time high.

Since January 1, 1961, 878 IRS employees engaged in every level of operations have reported bribery attempts. During the decade, 236 persons were arrested or indicted for these bribery attempts.

Guilty pleas in attempted bribery cases outnumbered convictions by juries by more than two to one. Of 170 individuals brought to trial, 111 pleaded guilty, with 45 being convicted by juries and 14 acquitted. As of June 30, 1971, 156 had been convicted or pleaded guilty and another 51 were awaiting trial.

## Organized Crime

Organized crime and racketeering interests have mounted efforts to influence the IRS, and the Internal Security Division has been called upon to probe into those efforts.

One difficult and unusually sensitive investigation

neutralized an operation that could have affected the integrity of the IRS in a most serious manner.

The results of that investigation, to date, include arrest or indictment of 23 individuals, including special agents or former special agents, two public accountants, and eight organized crime figures.

Other recent criminal actions include the conviction of two alleged underworld figures, resulting in 1 year in prison and a \$10,000 fine for bribery and conspiracy and 9 months in prison and a \$5,000 fine for bribery.

## Assistance Programs

Information about improprieties in State government activities is reported to appropriate State authorities. Investigative assistance is furnished on request. Misconduct by IRS employees frequently has had a direct impact on State tax returns, assistance and cooperation of State tax officials occur frequently.

In addition, the Internal Security Division has prepared and furnished to Ohio tax authorities an internal security training program tailored to their needs.

**Knapp Commission.** During FY 1971, the Internal Security Division contributed about 2 man-years to the Knapp Commission, which was investigating corruption in the New York City Police Department. During undercover for nearly a year, two Internal Security Division inspectors assisted in developing evidence of misconduct.

**Air piracy.** During FY 1971, the Internal Security Division conducted 1,359 investigations for other Department of Treasury components. Inspectors joined other enforcement agents to become the first contingent in the President's program for protecting Americans from hijackers. For the period September 1, 1970, through January 10, 1971, inspectors sometimes engaged up to 10 percent of the entire Internal Security Division staff were engaged in this program.

**United Nations dignitaries.** During October 1970, the Internal Security Division required the services of 30 Internal Security Division inspectors for 5,893 man-hours to assist the Secret Service in protecting dignitaries attending ceremonies at the United Nations.

**Demonstrations.** During the May Day demonstrations from April 24 through May 5, 1971, 27 National Internal Security Division inspectors were sworn in as Deputy United States Marshals.

with the laws under its jurisdiction; suppression of crimes in non-taxpaid spirits; curtailment of the illegal possession of firearms, destructive devices, and explosives; and provision of assistance to Federal, State, and local law enforcement agencies in the nationwide effort to reduce crime.

**Responsibilities.** ATF is responsible for the administration and enforcement of Federal laws and regulations relating to liquor, tobacco, firearms, and explosives.

To meet this responsibility, the Division is divided into criminal enforcement and revenue control functions.

Criminal enforcement has the responsibility for carrying out an investigative and preventive program relating to violations of those Federal laws for which ATF has responsibilities.



Bomb Squad of the Alcohol, Tobacco, and Firearms Division (now a Bureau) investigates bombed vehicle during training session.

Marshals and contributed 1,938 man-hours to protection of facilities and personnel. Fourteen North Atlantic Region Inspectors were similarly deputized in anticipation of demonstrations in the vicinity of the Manhattan District Office.

## Alcohol, Tobacco, and Firearms Division

Seizure of illegally possessed firearms, destructive devices, and explosives, seizure of illicit stills, efforts against organized crime, and participation in the sky marshal program to combat air piracy were among the FY 1971 activities of the Alcohol, Tobacco, and Firearms (ATF) Division of the Internal Revenue Service.

ATF also provided assistance to other Federal agencies and to State and local law enforcement in the form of training, technical assistance, and evidence analysis in its forensic laboratories.

**Authority.** ATF is charged with the administration and enforcement of the provisions of the Internal Revenue Code which relate to Alcohol, Tobacco, and Firearms (26 U.S.C. chapter 51, 52, and 53); the Federal Alcohol Administration Act (27 U.S.C. chapter 8); certain provisions of the criminal code relating to liquor traffic (18 U.S.C. 1261-1265; 1952; 3615); the Act of August 9, 1939 (49 U.S.C. chapter 11) insofar as it involves matters relating to violations of the National Firearms Act (26 U.S.C. chapter 53); 18 U.S.C. chapter 44, and 18 U.S.C. Appendix, sections 1201-1203, relating to firearms; 18 U.S.C. chapter 40 relating to explosives; and section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934), relating to the control of the importation of arms, ammunition, and implements of war.

## Background

The history of the Division dates back to the Civil War when the first Commissioner of Internal Revenue was appointed and three "detectives" were hired to investigate the illicit manufacture of distilled spirits.

This investigative function continued through the en-

for Act 6-1966, which substantially strengthened existing Federal firearms laws, and with the resulting emphasis on firearms enforcement, the Division again sustained a change of title and became known as the Alcohol, Tobacco, and Firearms Division.

**Explosive regulation.** Passage of the Organized Crime Control Act of 1970 gave the Division the added responsibility of administering and enforcing title XI, regulation of explosives, of the act. Thus, the enforcement activities of ATF became among the most diversified of any Federal law enforcement agency.

ATF shares with the Federal Bureau of Investigation (FBI) responsibility for enforcing sections 844(d) through 844(i) of title XI. The Department of the Treasury and the Department of Justice arrived at a preliminary understanding as to respective investigative jurisdictions under these six sections of the act.

**Plans.** Early in FY 1972, plans were announced by the Department of the Treasury to transfer ATF out of the Internal Revenue Service and to give it Bureau status. Effective July 1, 1972, the Alcohol, Tobacco, and Firearms Division became a full Treasury Bureau under the direct supervision of the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations). All policy direction was assumed on March 8, 1972.

## FY 1971 Activities

**Law enforcement budgets.** During FY 1971, ATF's approved budget for criminal enforcement activities was \$43,840,000 as compared with FY 1969 and FY 1970 budgets of \$23,577,000 and \$29,625,000, respectively.

**Special investigators.** ATF carried the following levels of special investigators in the past 3 fiscal years: 1,015 in FY 1969; 1,346 in FY 1970; and 1,684 in FY 1971.

**Arrests and seizures.** During FY 1971, special investigators seized 2,272 illicit distilleries and arrested 3,195 persons. In addition, 7,995 illegal firearms were seized and 2,223 persons were arrested for violations of the firearms laws.

**Organized crime.** The ATF Division participates with other Federal agencies in the 17 organized crime strike forces operating in major cities, outside of Washington, D.C., across the Nation.

During the past fiscal year, the Division expended 104 investigator man-years on the organized crime program.

The investigation of organized crime activity was somewhat below the work plan for the year, however, because of the diversion of manpower for special details such as sky marshal duty.

**Aircraft hijackings.** ATF personnel participated extensively in the contingent of armed guards assigned to commercial aircraft to counteract the growing wave of skyjackings until a formalized sky marshal program could be implemented.

A selection of weapons seized by Bureau of Customs agents through mail inspection.

ATF provides a substantial amount of technical assistance to State and local law enforcement by conducting specialized training schools for police officers, and evidence in the ATF forensic laboratory, and foreign-made firearms that have been used in the commission of crimes.

The Division's firearms and explosives experts provide technical data upon request to State and local agencies.

Reports on these activities follow.

**Training schools.** A series of specialized training schools have been conducted by the Division for State and local law enforcement agencies, under the auspices of the Enforcement Assistance Administration (EAA), Department of Justice.

**Forensic laboratory.** The ATF Forensic Laboratory provides valuable assistance not only to the Division but also to law enforcement agencies on all government levels by examining and analyzing physical evidence relating to criminal cases such as explosives and residues and hair, soil, documents, and similar evidence.

The laboratory utilizes such advanced techniques as neutron activation, atomic absorption spectrophotometry, chemical microscopy, gas chromatography, and highspeed photography.



the pistol used in the crime. The testimony of the expert supporting the contention that the barrel had been replaced subsequent to the crime played a part in the conviction of the defendant.

(2) The examination of evidence and the subsequent testimony by two members of the staff were instrumental in the conviction of two persons in a midwestern city who had been charged with the boobytrap bombing death of a policeman.

**Tracing firearms.** Tracing firearms is another important feature of the State assistance aspect of the Gun Control Act. An ATF representative visited major firearms manufacturers in Europe to establish more effective lines of communication and obtain unpublished firearms identification data and records to improve the rate of successful traces.

Existing communications systems were augmented by a worldwide Telex system to provide instant links with firearms manufacturers in 14 countries. During FY 1971, 173 requests for assistance in tracing foreign-made guns were received from Federal, State, and local law enforcement officers, and 82 percent were successfully traced to the domestic importer.

For example, the theft of 10 firearms, an attempted robbery, an assault, and a homicide in a New England State were solved, and four persons arrested as the direct result of the tracing of a firearm from the manufacturer to the retail purchaser.

## Staff Problems

**Laboratory specialists.** The staff of the Alcohol, Tobacco, and Firearms Division Forensic Laboratory was hard-pressed to meet the demands placed on it by State and local agencies for assistance with respect to examinations of evidence. Not only were additional chemists needed to reduce the backlog of pending requests, but expansion of the facilities was necessary.

Obtaining additional laboratory space is a top priority item in the Division. The ever increasing demand placed on the laboratory staff by the law enforcement profession, although welcome from a law enforcement point of view, places a great burden upon the resources of the Division.

**Clerical positions.** The number of clerical positions in relation to the number of special investigators is approaching the critical point in several areas of the country. Studies are presently under way to determine the optimum ratio of such positions in an effort to decrease the amount of paperwork required by the investigative staff.

**Requests for assistance.** With the additional requests being received for assistance in the training of State and



Secret Service agents escort presidential car during 1969 inaugural parade.

local police officers, ATF investigators are finding it difficult to devote full time to the pure enforcement activities of the Division.

## United States Secret Service

Protection of the President and his family, of the Vice President, and of certain other specified persons, and suppression of counterfeiting and of forging of bonds and checks of the United States are among the law enforcement functions of the United States Secret Service.

The protective functions of the Secret Service have been added to steadily over recent years, and a new Executive Protective Service has been established under President Nixon to provide security for the White House and its offices, for the President and his immediate family, and for foreign diplomatic missions located in the Washington, D.C., area.

The Secret Service also performs special missions, such as its temporary assignment during FY 1971 to provide air guards aboard American domestic and international commercial passenger flights to stem the rash of aircraft hijackings.

**Resources.** Appropriations for the Secret Service during FY 1970 totaled \$32,811,000, compared with \$22,708,000 for FY 1969. Appropriations for FY 1970 included a supplement of \$4 million, which was authorized to implement the Executive Protective Service.

The United States Secret Service was created in 1865, as a Bureau of the Department of the Treasury, to suppress widespread counterfeiting.

During the Civil War, about one-third of the currency in circulation was counterfeit. Approximately 1,600 State banks designed and printed their own notes. Each note bore a different design, complicating the task of differentiating any of the 4,000 varieties of counterfeit notes from the 7,000 varieties of genuine notes.

The Government hoped that the adoption of a national currency in 1863 would resolve the counterfeiting problem. The national currency was soon counterfeited and circulated extensively, however, and it became necessary for the Government to take enforcement measures.

The Secret Service was established to carry on this enforcement activity.

## Protective Responsibilities

In 1901, after the assassination of President William McKinley at Buffalo, N.Y., the Secret Service was assigned to protect President Theodore Roosevelt.

Five years later, Congress enacted legislation (Sundry Civil Expenses Act for 1907) authorizing the Secret Service to protect the President of the United States. Following the 1908 election, the Secret Service also began protecting the President-elect.

This congressional authorization was not permanent, however, since it required annual approval in the budget of the Department of the Treasury.

**Vice President protected.** Not until 1951, following the attempted assassination of President Harry S. Truman, was the Secret Service given its permanent protective authority (18 U.S.C. 3056). The statute, in addition to providing for the protection of the President, his immediate family, and the President-elect, also provided for the protection of the Vice President.

**President-elect protected.** With the increase in the number of people to be protected, 18 U.S.C. 871, which made it a crime to threaten the life of the President of the United States, was amended in 1962 to include the President-elect, the Vice President, and the Vice President-elect.

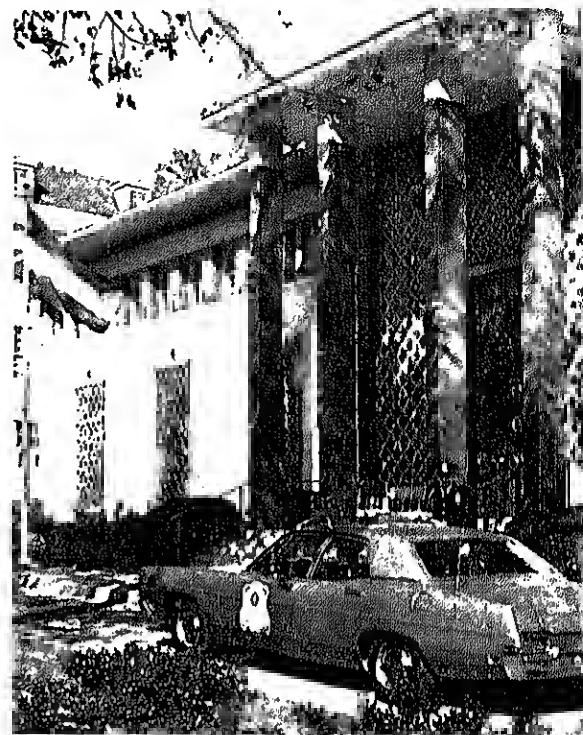
**Warren Commission.** After the assassination of President John F. Kennedy in 1963, the Warren Commission recommended an enlarged and more sophisticated protective Service.

any resources of the Service  
very phase of its protective  
network of protective plan-  
communications, and liaison

the Secret Service  
3. 3056) to pro-  
and his wife dur-

legislation also provided for the protection of children of a former President until age 16.

**Executive Protective Service.** On March 19, 1970, President Nixon signed legislation establishing the Executive Protective Service, formerly known as the White House Police Force. The legislation expanded the size and responsibilities of this force, a uniformed division of the Secret Service.



Executive Protective Service on patrol outside the Embassy of Iran.

This security force protects the White House; buildings in which Presidential offices are located; the President and his immediate family; and foreign diplomatic missions located in the Washington, D.C., metropolitan area.

**FY 1971 temporary duties.** During FY 1971, other protective duties were assigned to the Secret Service on a temporary basis.

In September 1970, because of the increase in air piracy, the Secret Service was temporarily assigned to participate in providing security aboard American international and domestic airline flights.

President Nixon directed the Secret Service to provide protection for foreign dignitaries visiting the United States during the celebration of the 25th anniversary of the United Nations in October 1970.

This temporary assignment led to the most recent permanent protective responsibility. Public Law 91-554, dated January 5, 1971, authorized the Secret Service "to protect the person of a visiting head of a foreign state or government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad."

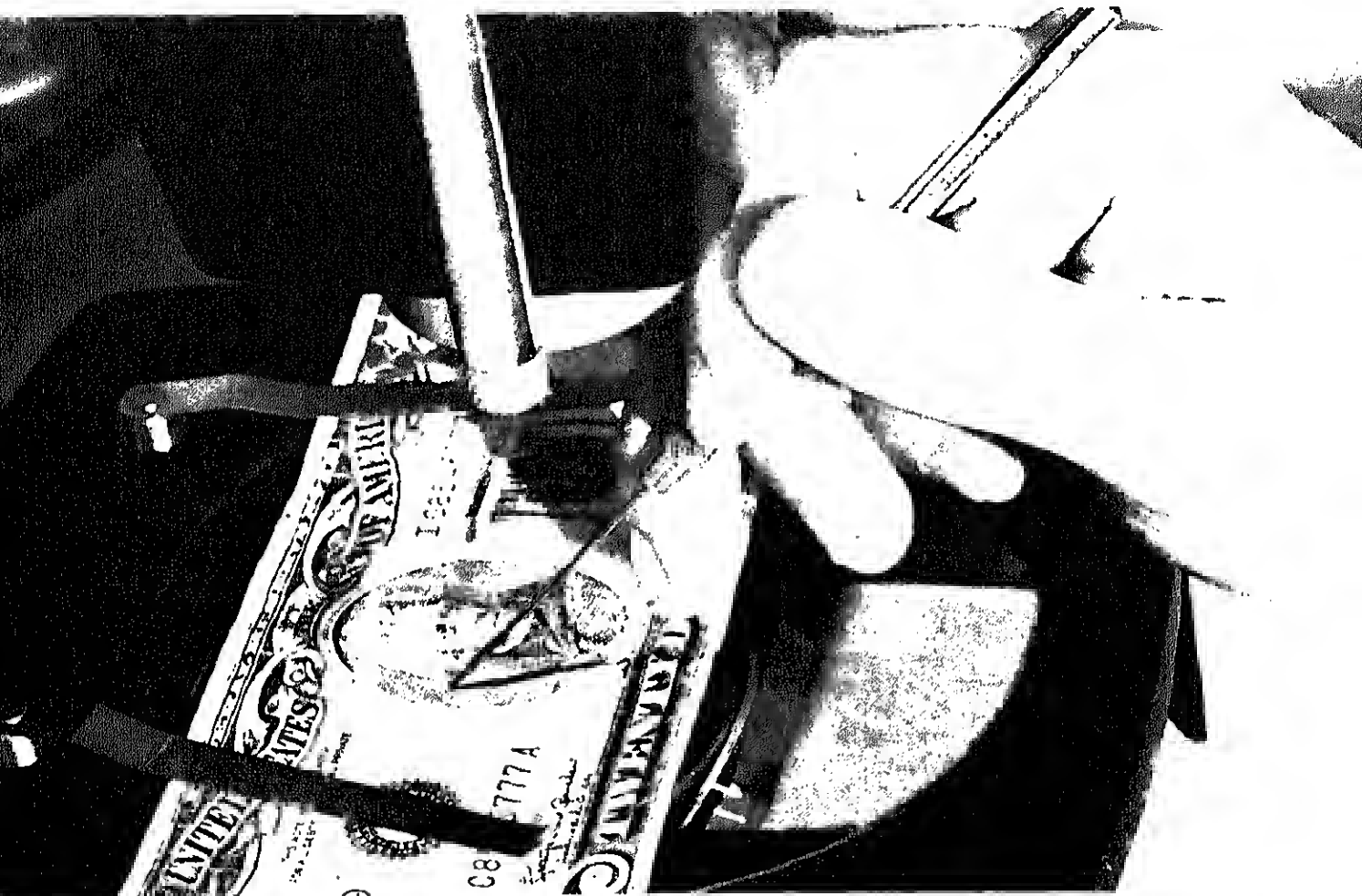


security plan in advance of a protectee's visit. The advance agent and his staff work with the special agent in charge of the district field office and local law enforcement officials in making the necessary arrangements.

**Advance preparations.** Their advance security preparations include establishing an outer perimeter of security. Advance teams survey the area to be visited by the protectee and determine manpower and equipment require-

The Office of Protective Intelligence maintains liaison with law enforcement and intelligence agencies to insure receipt of information on individuals or groups who pose a potential threat to the security of protectees.

**Local cooperation.** The Secret Service depends on this cooperation with local, State, and Federal agencies to successfully fulfill its protective mission.



Secret Service agent examines a counterfeit note.

ments. Other advance arrangements include designating emergency sites such as hospitals, routes of evacuation, and relocation sites.

**Patrols.** The outer perimeter of security includes helicopters that are available for surveillance. Police cars patrol the streets parallel, adjacent to, or having access to the protectee's route. When the route is adjacent to waterways, police and the U.S. Coast Guard are used on patrol status.

**Briefings.** Before any visit of a protectee, the Secret Service briefs all participants in the protective activity of their assignment, where they will be posted, what is expected of them, identification to be worn by those participating in

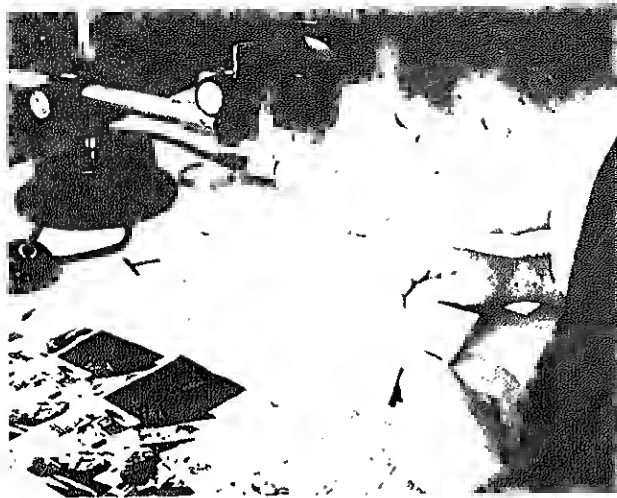
## Counterfeiting United States Currency

The investigative responsibilities of the Secret Service include the suppression of counterfeiting of currency of the United States. These responsibilities are set out in 18 U.S.C. 3056. Details of Secret Service activities in this area follow.

**Rising trend.** Despite increased investigative effort by the Secret Service, counterfeiters produce more counterfeits each succeeding year. During FY 1971, counterfeiters produced \$26.8 million in counterfeit currency, an increase of 88.4 percent over the annual averages for the previous 4 fiscal years.

Of this amount, \$23.3 million, or 87.1 percent, was seized before it could be passed on the public. This rep-

tion. During FY 1971, using intensified investigative procedures, the Secret Service suppressed plant operations responsible for 81 percent of the losses from new counterfeits.



Handwriting on stolen U.S. Savings Bonds is examined by a Secret Service agent.

**Significant cases.** Following are summaries of significant counterfeiting cases investigated by the Secret Service during FY 1971.

**California.** During February 1971, an undercover Secret Service agent was introduced to a suspect in Los Angeles, Calif., who was offering counterfeit notes for sale. The agent made a small purchase of these notes and arranged for a larger purchase. Three days later, the suspect was arrested while making a \$600,000 delivery to the agent. A second suspect at the site of the latter delivery was also arrested and later identified as the printer of the notes. The total seizure amounted to \$1.6 million with only \$320 being passed on the public.

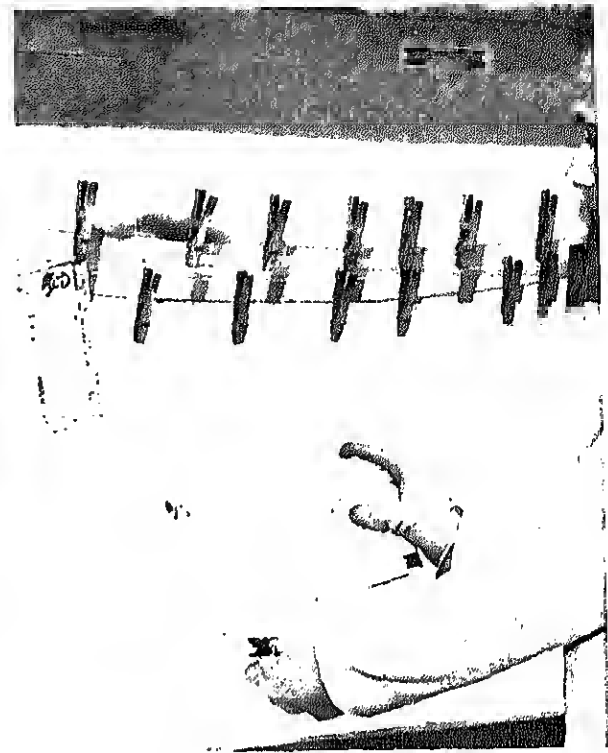
While awaiting trial, the printer produced a new counterfeit and delivered \$100,000 to a second undercover agent. Consequently, 3 months after his arrest for the first offense, the printer was again arrested. The seizure in the second case totaled \$660,000 with only \$940 passed on the public.

**Missouri.** The first break in a case involving a particularly troublesome group of counterfeits occurred during September 1970 when local police arrested four persons in Connecticut. Prior to their arrest, a bundle of counterfeit notes had been found on the floor of a car they left to be washed and waxed.

One of these people and three other conspirators were arrested 2 months later in Florida while delivering \$250,000 in counterfeit notes to an undercover Secret Service agent.

Acting on information resulting from the latter arrest, agents identified the source as the owner of a large Missouri printing establishment. He was arrested and subsequently committed suicide. Approximately \$1.3 million was seized during this investigation.

their notes, and seized more than \$500,000 in counterfeit notes. The notes had been produced by one of the at his small print shop in Ohio. Secret Service in Ohio seized the plant the following day.



Secret Service Identification Specialist uses chemical sprays to develop latent fingerprints on forged bonds.

## Forging Government Bonds and Checks

The investigative responsibilities of the Secret Service include suppression of forgery of bonds and checks of United States. These responsibilities are set out in U.S.C. 3056. Details of Secret Service activities in area follow.

**Increased activity.** There is a trend of increasing activity in the area of forgery of bonds and checks of the United States.

The Secret Service received for investigation 22 bonds and 60,741 checks during FY 1971. Those figures represent an increase over FY 1970 of 37 percent in number of bonds and 9 percent in the number of checks.

**Bond forgery.** In the area of bond forgery, the Secret Service arrested 145 persons during FY 1971, representing an increase of 18 percent over the 123 arrested during prior fiscal year.

Bonds involved in major investigations are generally tainted from residential, office, and bank burglaries and eventually sold to fences. The fences provide burglars with a market for the stolen bonds and in turn make them available for sale or consignment to interested forgers.

U.S. Savings Bonds, which were previously ignored, discarded, or destroyed by burglars, are now considered valuable merchandise and are bought and sold on the underworld market at a fraction of their face value. As an incentive in the fencing of bonds, many of the forgers are provided appropriate false identification.

**Stolen bonds recovered.** During FY 1971, in conjunction with forged bond investigations, 6,182 stolen bonds with a face value of \$769,275 were recovered prior to their redemption. A significant number of these bonds would have been forged and cashed had they not been recovered.

## Significant Bond Cases

The following summaries are examples of the current trend in the investigation of bond forgery cases:

**Steady worker.** In March 1971, an individual with no criminal record and steady employment was arrested by agents of the Boston field office for forging and cashing 1,101 bonds in the New England area. The bonds, valued at \$74,900, were registered to 20 owners. The identity of the forger was established through a photograph from a bank utilizing surveillance cameras.

**Forgery suspect.** In April 1971, a fugitive bond forgery suspect was arrested at Portland, Oreg. He was responsible for forging and cashing 361 bonds worth \$93,325 registered to 13 different owners. The forgeries were committed in nine States. This same individual was responsible for passing 350 counterfeit bonds valued at \$35,000. He has since been arrested, convicted, and sentenced to prison.

**Securities law violator.** A Chicago, Ill., resident, on parole for previous securities violations, was arrested in September 1970, at Mansfield, Ohio, while attempting to redeem forged bonds. It had been established that he was responsible for the forging and cashing of 6,971 bonds valued at \$459,500. These forgeries were committed in 31 States and involved bonds registered to 47 different owners.

The burglaries and one bank robbery in which these bonds were stolen took place in six States. A substantial portion of the statistical increase in bond cases during FY 1971 can be attributed to this single investigation. The forger was arrested, convicted, and sentenced to prison.

**Conspirators.** In a Philadelphia, Pa., case, five individuals were arrested for forgery and conspiracy involving two \$10,000 bonds. During the investigation, it was learned that the surviving co-owner of these bonds, when contacted in Colorado by Secret Service agents, was unaware of their existence. The other co-owner, who had originally bought the two bonds, died in 1962 without telling the survivor of the purchase.

**Stolen bond data list.** In October 1970, over 30,000 paying agents (banking and other financial institutions) of

\$24,579,735 were on file in the NCIC.

These entries represent the cumulative total of reported stolen bonds that remain outstanding according to the records of the Bureau of Public Debt, Department of the Treasury.

Paying agents are urged to make inquiry through law enforcement agencies when circumstances arouse their suspicion during bond redemption. This program is expected to be of significant investigative assistance.

**Check forgery.** During FY 1971, the Department of the Treasury paid 640.5 million checks, a 14.8 million increase over the prior year. In anticipating this increased volume of checks issued, and the consequent increase in the number of checks received for investigation, a greater emphasis was placed on the identification and arrest of multiple check forgers.

**Check arrests.** While this approach may be partially responsible for the decrease in the total number of check arrests, from 3,032 in FY 1970 to 2,910 in FY 1971, it should have a beneficial effect on the future since some prolific forgers will be out of circulation.

Another factor affecting the number of arrests is the current tendency in some judicial districts to decline prosecution for check forgery except in aggravated or multiple cases.

## Significant Check Cases

Descriptions follow of some check forgery cases of special interest which were investigated by the Secret Service during the past fiscal year.

**College payroll director.** In September 1970, the payroll director at a federally financed private college was sentenced to prison for the forgery and uttering of more than 400 United States Treasurer's checks amounting to approximately \$100,000. By manipulating the records, he was able to cause the checks to be issued either to real or fictitious payees. After intercepting the checks, he forged and deposited them into commercial and personal accounts which he had established. He was arrested and subsequently sentenced to 3 to 10 years in prison.

**Recidivist.** A recidivist forger was sentenced to prison in September 1970, in New York, for the theft, forgery, and uttering of approximately 170 United States Treasurer's checks. She had been released from a Federal prison in April 1970, and committed the offenses involved in this case while supposedly participating in a halfway house program. She forged and cashed the checks, all of which bore New York addresses, in major cities including Boston, Newark, Philadelphia, Los Angeles, and New York City. She was arrested by police when she returned to a New York airport to reclaim a piece of lost luggage. The luggage contained 52 stolen United States Treasurer's checks.

## Organized Crime

The Secret Service participates in the organized crime strike force program of the Department of Justice.

During FY 1971, 20 special agents were assigned full-time to various strike forces throughout the country. In addition, 102 separate investigations, designated by the Department of Justice as organized crime matters, were conducted by Secret Service field offices.

Man-hours contributed to organized crime in FY 1971 totaled 66,341, compared with 44,000 in FY 1970. The budget in FY 1971 was \$754,000, compared with \$373,644 in FY 1970 and \$216,000 in FY 1969.

## Assistance Programs

In conjunction with its protective and investigative responsibilities, the Secret Service works closely with law enforcement at all levels of Government.

The Service provides, on a limited basis, specialized training to local, State, and Federal law enforcement personnel.

During FY 1971, the man-hours of training provided by the Secret Service to other law enforcement personnel totaled 6,336, compared with 4,304 in FY 1970 and 652 in FY 1969.

**Questioned Document Course.** Of the total for FY 1971, 2,816 man-hours were expended for guest students attending the Questioned Document Course. There were 1,760 man-hours expended for this training in FY 1970 and 224 man-hours expended for it in FY 1969.

The course involves the study and analysis of handwriting on questioned and disputed documents such as forged Government checks and bonds and threatening written communications. This training also includes the study of inks, paper, and typewriter identification.

**Other courses.** Additional training courses include protective operations briefings, protective surveys, Secret Service activities briefings, and firearms instructor training.

**Protective procedures.** The primary purpose of protective operations briefings and protective surveys is to provide other law enforcement personnel with basic protective concepts.

During FY 1970 and FY 1971, law enforcement personnel from Minnesota, California, Maryland, Georgia, Illinois, New Jersey, Colorado, the Virgin Islands, Kansas,

Wisconsin, and Puerto Rico received instruction in protective procedures. During FY 1969, the Secret Service also trained officers from the North Carolina State Bureau of Investigations and The Royal Canadian Mounted Police in this area.

**Mutual benefits.** The training provided by the Secret Service to other law enforcement personnel not only provides them with new techniques and concepts to carry out their responsibilities, but also enables them to assist the Secret Service more effectively in its protective and investigative missions.

## Treasury Security Force

The Treasury Security Force, a uniformed division of the Secret Service, is responsible for making secure the Main Treasury Building and the Treasury Annex in Washington, D.C.

During FY 1971, personnel of this Force spent more than 1,600 man-hours undergoing intensive in-service training.

Treasury Security Force Officers made 41 felony arrests at the Main Treasury Building during FY 1971 compared with 32 in FY 1970.

The majority of arrests made during 1971 were in the Main Cashroom when people tried to forge and cash stolen United States Treasurer's checks valued at more than \$11,000.

## Bureau of Customs

Heroin importers, organized crime and racketeering groups, smugglers, importers of fraudulent merchandise, and cargo thieves are the main targets of Bureau of Customs law enforcement activities.

Those law enforcement activities in FY 1971 included intensified efforts in:

- ☐ Intercepting heroin imports, including imports by military personnel or transport;
- ☐ Border searches of organized crime figures and "blatant" searches to apprehend persons engaged in illegal activities;
- ☐ Participation in organized crime strike forces of the Department of Justice;
- ☐ Air security, to combat aircraft hijacking;



Bureau of Customs official checks car license plate numbers against computerized list of wanted or suspect vehicles.

- ☐ Antitheft and pilferage programs, especially in major international airports in the United States;
- ☐ Sophisticated radio communications to coordinate antismuggling efforts along the Mexican border;
- ☐ Antifraud task forces to control importation of fraudulent merchandise and related activities;
- ☐ Import control teams experimenting with 100-percent examinations of imported goods on a random basis at 11 ports of entry; and
- ☐ Scaled letter mail examination, searching for contraband.

**Authority.** The Bureau of Customs was created by the Act of Congress of March 3, 1927 (44 Stat. 1381; 19 U.S.C. 2071). The 1st Congress authorized the collection of customs revenue in 1789.

The functions of the Bureau of Customs include collection of customs revenues, control of carriers and merchandise imported into or exported from the United States, and combating smuggling and frauds. The Bureau of Customs cooperates with a number of other Federal agencies in its law enforcement functions, including the Immigration and Naturalization Service and the Bureau of Narcotics and Dangerous Drugs, both part of the Department of Justice.

**Law enforcement resources.** The Bureau of Customs committed resources to law enforcement functions in terms of personnel and funds for processing of arriving persons and cargo, investigations and law enforcement, and security and audit. (Security and audit functions were combined near the end of FY 1971; figures presented here reflect operations prior to that reorganization.)

Resources committed in all law enforcement areas were as follows: 7,826 positions and \$93,747,000 in FY 1969;

8,401 positions and \$118,547,000 in FY 1970; and 9,144 positions and \$133,517,000 in FY 1971.

**Collections.** The Bureau of Customs in fulfilling its function of collecting duties and taxes on imported merchandise, collected \$3.257 billion in 1969; \$3.299 billion in 1970; and \$3.469 billion in 1971. The cost of collecting each \$100 was \$3.08 in 1969; \$3.92 in 1970; and \$5.51 in 1971. Customs collections include duties, excise and other Federal taxes, forfeited merchandise, fines, penalties, and recoveries of Government property.

#### Bureau of Customs FY 1971 R

Cases closed.....		
Total arrests.....	1,000	(4 under Title III)
Convictions.....	2,275	
Number of seizures.....	9,888	(2 under Title III)
Value of seizures and imposed penalties.....	\$128,312,216	
Recoveries (including fines and penalties).....	\$5,089,778	
Narcotics seizures (grams):		
Heroin.....	425,129	(8 lbs. under Title III).
Opium.....	17,910	
Cocaine and other narcotics.....	185,189	(2 lbs. under Title III).
Marijuana.....	80,463,306	(10,110 lbs. under Title III).
Hashish.....	1,434,626	
Dangerous drugs (5-grain units).....	10,331,955	

<sup>1</sup>Title III refers to provisions of the Omnibus Crime Control and Safe Streets Act of 1968 authorizing court-approved wiretapping.

of New York with the assistance of Bureau of Customs special agents involving an association of trucking firms infiltrated by organized crime members mainly doing business at John F. Kennedy International Airport, New York, N.Y. All of the subject firms and individuals indicted allegedly had conspired to violate the rate-fixing provision of the Sherman Antitrust Act.

**Strike forces.** The Bureau of Customs began its participation in the strike force program at Buffalo, N.Y., in 1966,



A sky marshal trainee at target practice.

when a pilot program was initiated. At the beginning of 1971, special agents were assigned to 13 strike forces in various cities across the United States.

The Organized Crime and General Smuggling Branch within the Criminal Investigations Division was created in September 1969. This Branch was made responsible for creating and implementing new enforcement programs and for liaison and participation with strike forces.

Additional agents were assigned to newly created strike forces in Baltimore, Pittsburgh, and San Francisco.

**Seminars.** Special agents of the Organized Crime and General Smuggling Branch, including agents assigned to strike forces, were called upon in FY 1971 to participate in organized crime seminars throughout the United States and Canada. There were increased speaker requests from State and local police training facilities to discuss enforcement of Federal and State laws on joint case investigations. These enforcement agencies were concerned with developing strong liaison communication for a useful exchange of criminal information leading to

more determined prosecution of organized crime individuals.

**SIS.** In FY 1971, the Organized Crime and General Smuggling Branch assisted in the implementation by the Bureau of Customs of the Selective Inspection System (SIS) at major airports in the United States. Special agents from the Office of Investigations assisted in implementing and evaluating this system. Bureau of Customs personnel were extensively utilized under SIS to provide security for the airport international arrivals areas. Also, certain Bureau of Customs forms were redesigned to reflect the background of applicants for Bureau of Customs licenses and identification cards.

## Air Security Program

On September 11, 1970, following an international aircraft hijacking of the most serious magnitude, President Nixon initiated the Air Security Program.

"We can—and we will—deal effectively with piracy in the skies today," the President said.



and domestic flights and conduct predeparture inspections on the ground, beginning with 26 major airports. The Division of Air Security, Office of Investigations, Bureau of Customs, was established to carry out this mission.

A total of 1,237 CSO's were stationed at 35 posts of duty throughout the United States. They are providing air security for 15 airlines, and the number of airlines requesting this service was increasing.

During FY 1971, Air Security Program activity resulted in 275 arrests, four of which were aboard aircraft for announced or threatened skyjacking and 70 of which were for narcotic violations. CSO's seized or detained 25,000 potentially lethal weapons.

## Cargo Theft Prevention

**Antitheft and pilferage program.** At the request of the Department of the Treasury, the Bureau of Customs developed a plan to combat the theft and pilferage of imported cargo. Administrative portions of this program were partially implemented in FY 1971. Certain steps necessary to combat theft and pilferage of imported merchandise required new legislation.

**Regulations.** Cargo theft involves individual criminals and organizations. The Bureau of Customs has been striving not only to prosecute thieves, but also to prevent criminal infiltration into cargo handling firms. For shippers and carriers, the Bureau of Customs put in force comprehensive cargo security and control regulations. These regulations constituted two of the three elements of the action program designed by the Department of the Treasury to improve the ability of the Bureau of Customs to eliminate cargo theft. The third element was legislation expanding the Department's authority. The programs were only recently announced; their effectiveness could not be adequately assessed by the close of FY 1971.

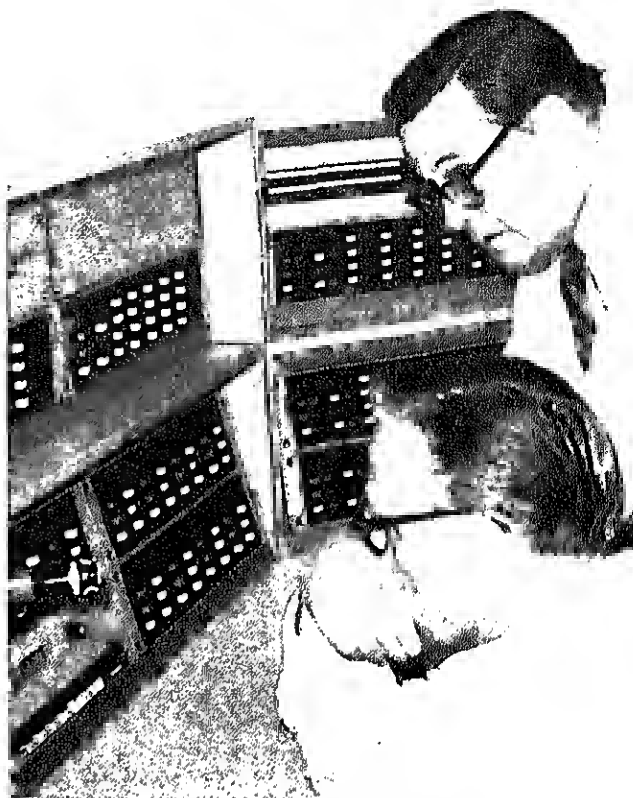
**Legislation.** The two sets of new regulations, bolstering the physical security and documentary control of cargo, were grounded on existing authority. The Department of the Treasury prepared draft legislation to give the Secretary power to set and implement national standards for storing and handling cargo.

**Standards.** The draft legislation, known as the Customs-Port Security Act of 1971, prescribed national standards for the physical security of cargo areas and revised the criminal penalties for cargo thefts.

## Radio Communications Network

The Bureau of Customs has been developing a sophisticated radio communications network along the border with Mexico.

This network is now operational and is proving to be one of the most modern and efficient law enforcement radio communications services in the world.



Bureau of Customs officials inspect new, automated communications facilities in Houston, Tex.

Through a combination of radio and telephone landlines patched into consoles at each of three communications control centers, one agent can talk to any other agent—in an office, car, airplane, or on a boat—from the Gulf of Mexico to the Pacific Ocean. Control centers in San Antonio, El Paso, and San Ysidro, Tex., enable agents in one sector to talk to agents in another. The control centers are manned around the clock, 7 days a week.

The new system also permits Bureau of Customs Headquarters officials to maintain contact with a surveillance of alleged smugglers.

**Smuggling by aircraft.** The radio network has succeeded in cases involving smuggling by airplanes. In one, 400 pounds of marijuana were seized in Texas as a result of a sector console operator's assistance through the network. In the past, the speed of aircraft has put agents out of communication range almost immediately. The system enables agents to forward information as the airplanes fly into different sectors along the border.



activity of the Bureau of Customs. Reports of activities in this area follow.

**Major cases closed.** In FY 1971, more than 1,900 fraud cases were closed, including a decorator telephone fraud with potential loss of revenue of almost \$180,000; a Raphael portrait, brought into the country illegally, valued at over \$600,000; and indictments for cruelty to animals under a 1909 law prohibiting the shipments of animals under inhumane and unhealthful conditions.

**Import control teams.** The Bureau of Customs has developed a program of high intensity inspection to determine the frequency of violations of import law and to measure enforcement and revenue risks involved in regular examination procedures. The Bureau of Customs brought special inspection, investigative, and import specialization capabilities to bear on this program in 11 ports of entry.

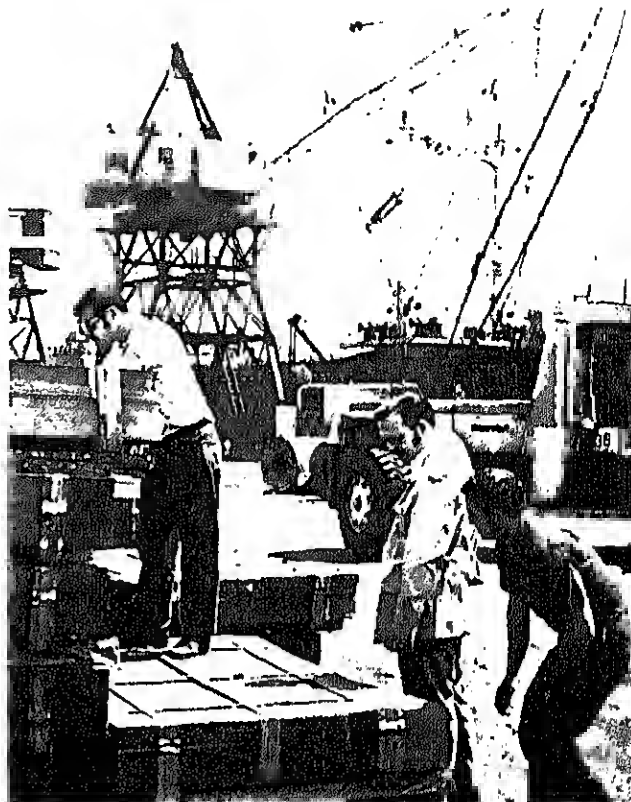
Shipments were selected for 100-percent examination either on a random or experience basis. These examinations, which included a complete review of the importer's records, resulted in the detection of many discrepancies. Major fraud cases resulted.

In the last half of FY 1971, 5,843 shipments were subjected to a 100-percent examination, and 1,475 (25 percent) were found to contain discrepancies of one form or another. Discrepancies ranged from false declarations and deliberate undervaluation of merchandise to improperly prepared invoices and fraudulent quantities. In addition to violations of statutory requirements, a potential loss of revenue of \$423,911 was collected in the last half of the fiscal year. A large number of fraud cases were initiated as a direct result of this program.

**Increased fraud investigations.** A new Compliance Section was established in the Division of Appraisal and Collections to develop procedures for control and coordination of increased enforcement in connection with imported merchandise. The new programs and procedures are expected to increase the effectiveness of import specialists in detecting fraud and other violations in commercial shipments of cargo.

**Fraud task force.** The Bureau of Customs fraud task force concept was tried in various forms at several offices. One method was to assign major fraud cases to a selected group of agents; another brought several agents to a district to work on a selected backlog of cases; another provided training to the regular staff; and, finally, an unusually large problem was attacked by coordinating activity and using Bureau of Customs staff members to assist in the field staff.

**Importer intelligence files (fraud detection).** For many years, the Bureau of Customs has forwarded to the Bureau of the Census, Department of Commerce, copies of formal entry documents on which the nation's foreign trade statistics are based. Recently, the Bureau of Customs has worked out an agreement with the Bureau of the Census to return on magnetic tape the raw entry data which contain commodity identification by Tariff Schedule



Imported steel at Detroit, Mich., dock is examined by Bureau of Customs officials.

number, value of merchandise, port of entry, and country of origin. These data identify importers, thus enabling identification of fraudulent importations to a degree far beyond previous capabilities.

Agents in the field can now query the data center at Silver Spring, Md., for reports covering customs transactions of importers under investigation. The reports list all entries for that importer throughout the United States. This should considerably reduce the time necessary to complete investigations.

At the request of the Fraud Investigations Division, computerized data were obtained from the Department of Commerce for the purpose of analyzing total Bureau of Customs transactions. It is now possible to determine the extent of imports by commodity nationwide or for a particular port of entry. Importers and entry numbers are also identified by this system.

## Sealed Letter Mail Examinations

Amended Federal regulations enabled the Bureau of Customs to exercise its authority to examine sealed letter

Scaled letter mail is a technical term that includes not only letters, but also certain packages weighing up to 4 pounds.

The revisions allow postal officials at points of entry to turn over to the Bureau of Customs for examination, without the consent of the addressee, foreign mail which appears to contain something other than correspondence such as narcotics, contraband, or dutiable merchandise.

**Results.** Results of the amended regulations in enforcement terms are unknown as yet but in FY 1971, 150,000 pieces of screened mail contained obscene materials and 200,000 other pieces of screened mail contained lottery tickets.



A recent reorganization in the Bureau of Customs brought together the internal security and audit functions under an Assistant to the Commissioner (Security and Audit), and established field security officers in internal inspection processes.

This force, reporting directly to the Commissioner, strengthened his capacity to investigate complaints or allegations of misconduct.

Agents of this office serve the Commissioner as his personal representatives to resolve complex situations and conditions. Numerous citizens and State and municipal officials were visited in connection with complaints, allegations, and matters of conflict.

Considerably more effort was devoted to programs designed to ferret out wrongdoers before the fact rather than resolve allegations after they arise. Types of cases investigated included thefts, morals, arrests by other agencies, association with racketeers and undesirables, corruption, smuggling, use of dangerous drugs and narcotics, bribery, gratuities, fraud, and misuse of Government property. There were also isolated allegations of bookmaking, gambling, forgery, burglary, and assault.

**Information exchange.** Security and Audit continued its program of complete cooperation and free exchange of information with its counterparts in other Government agencies, such as Department of State; Central Intelligence Agency; Federal Bureau of Investigation; General Services Administration; Civil Service Commission; Department of Justice; Immigration and Naturalization Service; Internal Revenue Service; Secret Service; Bureau of Narcotics and Dangerous Drugs; and most military investigative branches.

## Interagency Cooperation and Assistance

**Interagency cooperation.** The Bureau of Customs referred 2,252 investigative cases to other agencies, both domestic and foreign, in FY 1971.

Separate statistics by agency are not maintained.

**Foreign assistance.** The activities of the Office of Foreign Customs Assistance are divided into two areas. The first consists of the promotion, direction, monitoring, and support of Foreign Customs Assistance projects underway in foreign countries under the sponsorship of the Agency for International Development (AID), Department of State. This includes technical consultation and support of the customs advisors abroad, and a bilateral servicing and reporting relationship with AID in Washington, D.C.

The second area of activities involves responsibility for preparing programs of training and orientation for AID-sponsored participant trainees, and for arranging appropriate interviews and observation tours of the Bureau of Customs for foreign visitors referred by AID, the Department of State, or foreign governments.

chase such merchandise.

(2) A training course designed and carried out for South Vietnamese Customs import specialists.

(3) Continuation of the program of improving existing buildings and facilities and of providing a new physical plant for South Vietnamese Customs and its sister agency, the Boat Fleet Service.

(4) Assistance by Bureau of Customs advisors in conducting a course of instruction in the English language for employees and officers of South Vietnamese Customs.

(5) Bureau of Customs training programs for 119 participant trainees during FY 1971.

## Comptroller of the Currency

Chartering, examination, and regulation of national banks to assure that they operate safely and in compliance with Federal law, are responsibilities of the Comptroller of the Currency.

Suspected violations of criminal law are reviewed internally and may be referred to the appropriate U.S. attorney or to the Federal Bureau of Investigation.

Civil remedies in the form of cease-and-desist orders also may be invoked.

The Comptroller may suspend national bank officers, employees, or directors charged in an indictment authorized by a U.S. attorney and may request removal of a dishonest national bank officer, employee, or director even though that person has not been indicted or convicted.

Finally, the Comptroller promulgates regulations for minimum physical security of national banks and operates certain programs of mutual assistance with State banking agencies.

**Background.** The Comptroller of the Currency is the administrator of national banks. He must approve the organization of new national banks, conversion of State-chartered banks into national banks, and consolidations, mergers, and branches involving national banks.

By statute (12 U.S.C. 1813), the Comptroller is a member of the Board of Directors of the Federal Deposit Insurance Corporation and thereby participates in decision-making activity undertaken

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the examination of national banks. Assessments on all national banks in the District of Columbia, branches of national banks, and banks located in the District of Columbia that exercise fiduciary powers. The fee for the examination of the national revenue is obtained from the branch, and merger applications for special examinations.

FY 1971 revenues. During FY 1971, the office received revenues of \$32,597,322. Total expenditures were \$36,800,000. For salaries and \$5,764,000 in 1971, as in previous years, the office received or spent.

## Bank Examinations

The Comptroller employs a staff to conduct an on-premises examination of each national bank no fewer than once every five years.

At the conclusion of each examination, a report is made to the Comptroller and the board of directors. If the condition of the bank is satisfactory or if the trend of its operations is satisfactory, the examiner and, in some cases, the board will call a meeting of the board to advise it of the Comptroller's support of directors for corrective

**Suspected criminal violations.** If a violation is submitted by the examiner evaluation of a national bank and lists any discovered violations of laws. Suspected violations are reported separately by the office of the region within which

Generally, if the regional office reports a violation of Federal criminal law, a report is made to the U.S. attorney for the district in which the bank is located and to the FBI. In some instances, however, the report is made to the Comptroller's office in Washington, before being sent to the Assistant Attorney General, Criminal Division.

tions, and entities perpetrating fraudulent schemes involving national banks. This information is made available to the prosecuting authorities.

**Foreign branches.** If a violation of Federal criminal law is discovered in the branch of a national bank located in a foreign country, the matter is reported to the U.S. attorney for the district in which the main office of the branch is located, and to the FBI agent in charge in that district. In addition, a report is made to the banking authorities of the foreign country.

**Tax violation.** When a particular activity or transaction appears to constitute a violation or evasion of Federal tax laws, a factual report is made to the Commissioner of Internal Revenue and to the Department of Justice. If the suspected activity is of a continuing nature, the examiner, the regional administrator, or the Washington office will direct the bank to discontinue the activity.

**Cease-and-desist orders.** The Comptroller has statutory power (12 U.S.C. 1818(b)) to order a national bank to cease and desist from an unsafe or unsound banking practice or violation of law, whether civil or criminal. In practice, however, the Comptroller usually stops such activity without resorting to this procedure.

**Indicted officials.** When a national bank officer, employee, or director is charged in an indictment authorized by a U.S. attorney, the Comptroller may suspend him under 12 U.S.C. 1818(g) (1). During FY 1971, four persons were suspended under this provision.

**Dishonest officials.** In addition, the Comptroller, under 12 U.S.C. 1818(e) (2), may request the Federal Reserve Board to remove a dishonest national bank officer, employee, or director who has not been indicted or convicted. Two such proceedings were pending at the Federal Reserve Board at the close of FY 1971.

## Removal Procedures

In some instances, the Department of Justice does not seek indictments in matters referred to it by the Comptroller in cases the Comptroller believes to involve violations of Federal criminal law.

The Department of Justice, on occasion, has declined to prosecute because the violation appeared to be technical in nature or the bank officer or employee made restitution or took other corrective action. It also has declined to prosecute for lack of jurisdiction in cases involving possible offenses committed by employees or officers of national banks at branches located in a foreign country.

**Removal.** In such cases, where the Comptroller still believes the individual involved to be dishonest even if not indictable, the Comptroller may resort to the removal procedure authorized by 12 U.S.C. 1818(e) (2).

That statute authorizes the Comptroller to certify to the Board of Governors of the Federal Reserve System facts indicating personal dishonesty on the part of a direc-

**Upgrading reports.** To enhance the likelihood of prosecution on matters the Comptroller reports to the Department of Justice, the Comptroller is seeking ways to improve the fact gathering and reporting processes employed by examining and legal personnel. Examining personnel have been given specific instructions on reporting relevant facts of certain recurring types of crimes.

## Crime Prevention

Pursuant to the Bank Protection Act of 1968 (82 Stat. 295), the Comptroller has promulgated regulations (12 CFR Part 21) that establish minimum standards with which national banks must comply with respect to security devices and procedures designed to discourage robberies, burglaries, and larcenies and to assist in the apprehension of perpetrators of such crimes against national banks.

**Enforcement.** Enforcement of these regulations is accomplished through the examination process. Each report of examination contains a page entitled "Security and Controls Against External Crime" on which the examiner evaluates the bank's security precautions. Deficiencies in security controls are reported to the bank's board of directors for corrective action and to the Comptroller.

## Assistance to States

In April 1970, the Comptroller's office conducted a 2-week school in Washington on the principles of trust law and administration.

This school was attended by examining personnel from the Comptroller's office and from eight State banking departments. No fee was charged the State examiners.

Additionally, the Comptroller's office maintains a working relationship with State banking authorities with a view towards mutual assistance.

## INTERPOL

A worldwide network of police communications and mutual law enforcement assistance is maintained by the International Criminal Police Organization (INTERPOL).

The United States representative in INTERPOL is the Department of the Treasury. In Washington, the INTERPOL National Central Bureau is in the Office of Law Enforcement.

INTERPOL consists of 111 member nations which assist each other in answering and executing foreign law enforcement and investigative requirements. Each member nation maintains radio, Telex, or cable facilities to communicate its needs.

Each member nation has a National Central Bureau, which is the office appointed to coordinate requests received and sent by that nation.

In addition, INTERPOL Headquarters in Saint Cloud, France, maintains identification files on known international criminals and furnishes member countries

with studies, reports, and intelligence on the activities of individuals or groups engaging in international criminal operations. The United States, as a member nation, has access to those files.

Major policy issues are taken up at the General Assembly of INTERPOL, to which the United States sends a delegation.

## Organization and Operations

**Authority.** Pursuant to the Act of Congress on June 10, 1938 (22 U.S.C. 263a), as amended, the Department of the Treasury has been designated since 1958 to represent the United States in INTERPOL.

**Function.** The function of INTERPOL, as provided by its constitution, is: "To insure and promote the widest possible assistance among all criminal police authorities within the respective limits of the laws existing in their countries. . . ." and: "To establish and develop all institutions likely to contribute effectively to the prevention and suppression of crime."

**Requests for assistance.** INTERPOL provides the mechanism through which any of the 111 member countries can initiate requests for assistance from other member countries.

Requests can be made by any police or investigative agency in city, county, State, or Federal law enforcement.

Foreign investigative requirements can range from a routine criminal record check to a full criminal investigation leading to the gathering of evidence and to subsequent arrest and extradition of a fugitive.

**Communications networks.** The National Central Bureau for the United States is located at the Department of the Treasury in Washington, D.C.

It has the capability to communicate by Telex with the National Central Bureaus of 41 member countries of INTERPOL and to 38 countries on the INTERPOL Radio Network throughout the world.

**Membership dues.** As of June 30, 1971, the membership dues borne by the Department of the Treasury were \$28,500. As of June 1, 1972, legislation was pending authorizing the Department to pay the amount of \$55,000 for calendar years 1970, 1971, and 1972. That assessment was voted upon at the General Assembly of INTERPOL in 1969.

The budget of the INTERPOL National Central Bureau in the United States is included in the appropriations for the Office of the Secretary of the Treasury.

**Staff.** The National Central Bureau in Washington, D.C., is staffed by personnel from the Department of the Treasury; specifically, from the United States Secret Service and from the Bureau of Customs.

## FY 1971 Activities

The National Central Bureau in Washington, D.C., processed 1,795 cases in FY 1971.

That represented an increase of 39 percent over FY 1970 and of 64 percent over FY 1969.

Of the 1,795 cases processed in FY 1971, 478 involved requests for assistance by city, county, State, and Federal law enforcement agencies, the remainder being for foreign requests for investigation in the United States. That represented an increase of 56 percent over FY 1970 and 268 percent over FY 1969.

**Increasing usage.** This trend toward increased usage of INTERPOL by law enforcement agencies in the United States began after 1969.

Prior to 1969, cases referred by the National Central Bureau on behalf of law enforcement agencies in the United States accounted for only 14 percent of the total case load, the remainder being for foreign requests for investigation in the United States.

During FY 1970, the portion of requests referred on behalf of law enforcement agencies in the United States rose from 14 percent to 31 percent. In FY 1971, it rose again, to 37 percent.

In addition, many large police departments, including the New York City Police Department and the Los Angeles Police Department, now refer most of their requests for foreign investigative assistance through the National Central Bureau in Washington, D.C.

**Typical cases.** Following are brief descriptions of the kinds of cases processed by INTERPOL.

(1) Information furnished by INTERPOL Damascus, Syria, led to the seizure in Los Angeles of 200 pounds of hashish.

(2) In an earlier California case, the Los Angeles County district attorney requested the assistance of INTERPOL in locating a missing wealthy resident believed to be traveling in Europe in 1969. Investigation by 11 National Central Bureaus around the world resulted in

the arrest of a resident of Los Angeles County for a homicide which had occurred in Switzerland. The defendant was convicted and sentenced to life in prison.

(3) The Philadelphia, Pa., Police Department was investigating the murder of a police officer. It requested INTERPOL to trace the murder weapon, which was made in Germany. INTERPOL rendered the investigative assistance, leading to the arrest of the owner of the weapon.

## Law Enforcement Training Center

Training for law enforcement agents for the Department of the Treasury and for certain other Federal agencies is carried on at the Consolidated Federal Law Enforcement Training Center, operated by the Department of the Treasury.

The Center operated two schools in FY 1971: the Treasury Law Enforcement School and the Treasury Air Security Officer School.

**Background.** The Department of the Treasury has had law enforcement agents since it was established in 1789. From 1789 until 1927, the agents received on-the-job training.

In 1927, a basic course for criminal investigators was begun and offered by a traveling group of agent-instructors. This continued until 1953, when the Treasury Law Enforcement School was established in Washington, D.C.

The idea of a Consolidated Federal Law Enforcement Training Center was conceived in 1968, and the Center was established on March 2, 1970, by Treasury Order 217 to provide training to Federal police officers and criminal investigators who carry firearms and have explicit arrest authority.

### Treasury Law Enforcement School

The Treasury Law Enforcement School (TLES) trained 1,119 criminal investigators for the Department of the Treasury and certain other Federal agencies during FY 1971.

The enforcement agencies send their newly hired criminal investigators to the Center for a 6½-week course in law enforcement and investigative techniques.

**Curriculum.** General courses are designed to orient the new employee to his position. The law courses enable him

to operate within the law as interpreted by the courts, and technical courses give him the basic skills necessary to his type of work.

**Instructors.** Instructors are recruited for the School from the contributing agency and must have at least 3 years of experience. The instructor is generally promoted to a GS-13 and remains at the School for a 2-year period. Assignment to the staff is considered a career step and enhances the professional development of the agent.

**Materials.** The Center develops its own course material and the courses are revised regularly to keep both student and staff current. A visual aid section prepares accurate and interesting visual aids for the courses as the need arises.

**FY 1971 statistics.** The School operated at a cost of \$871,000 in FY 1971 and trained students at a cost of \$778 per student.

The following personnel were trained at TLES from various Department of the Treasury agencies in FY 1971: Bureau of Customs, 143; United States Secret Service, 204; Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service (IRS), 413; Inspection Division of IRS, 47; and Intelligence Division of IRS, 280.

In addition, the School trained 30 students from other Federal agencies and two students from State and local agencies.

### Treasury Air Security Officer School

The Treasury Air Security Officer School (TASOS) is operated by the Center at Fort Belvoir, Va., to provide training to the Customs Security Officers. These officers fly as aircraft guards and work at airports checking luggage and passengers to prevent hijacking of American aircraft. The curriculum of this School is 4 weeks long.

**Staff.** TASOS is staffed by the Center and senior agents of the investigative agencies of the Department of the Treasury assigned to the School to instruct as the need arises. TASOS trained 1,319 officers from November 30, 1970, to May 21, 1971.

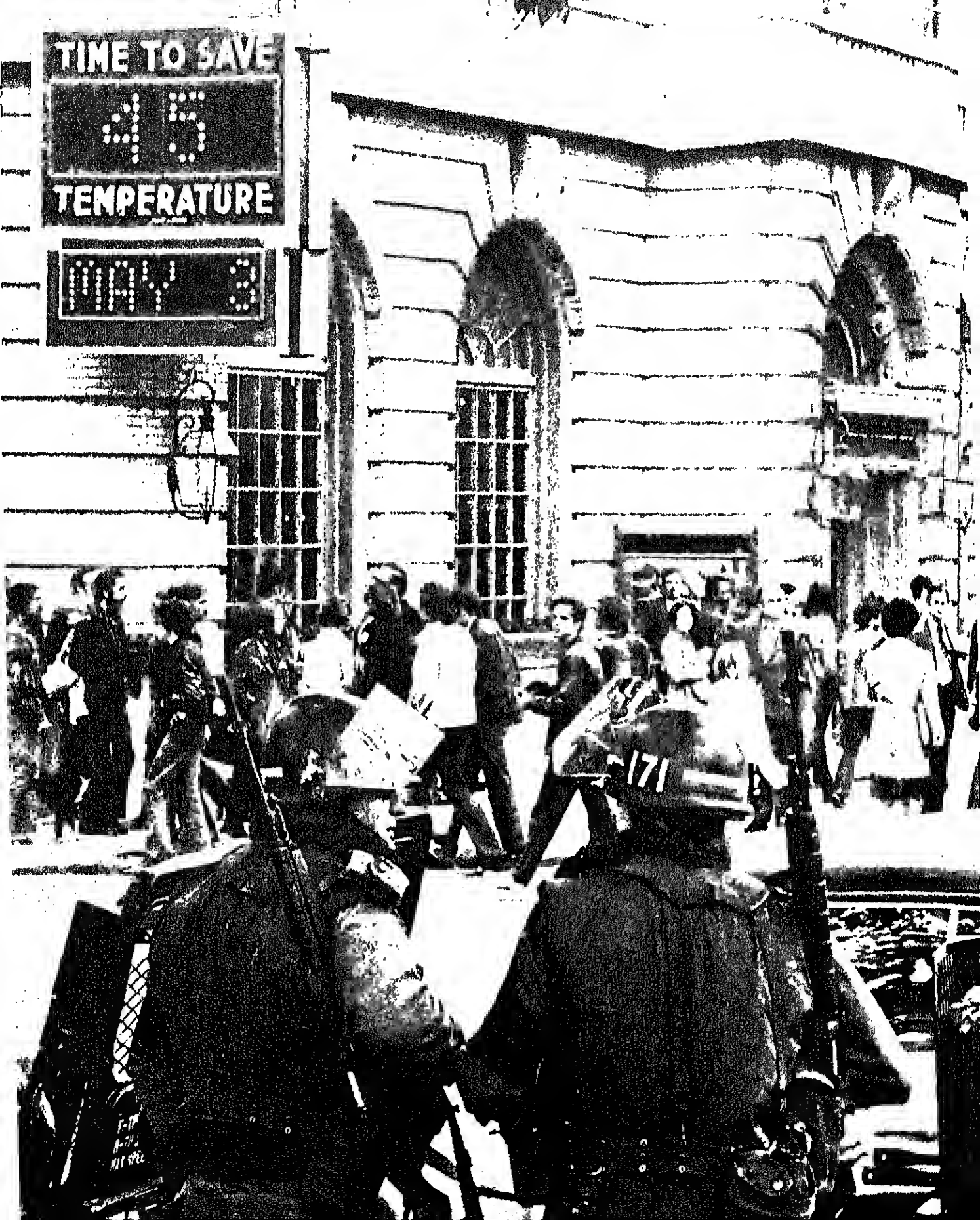


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In carefully prescribed but important ways, the Department of Defense<sup>1</sup> contributes a variety of services and assistance to Federal, State, and local law enforcement.

Activities during FY 1971, for example, included the following:

During the antiwar demonstrations on May Day 1971, Federal troops supported the Metropolitan Police Department in the District of Columbia.

The Department of Defense trained 105,919 persons from outside the Department in civil disturbance control techniques in FY 1971.

A high-level Task Force was assigned to focus on the problem of narcotic addiction and chronic drug abuse among military personnel, and military activities to meet this problem were greatly increased.

The Army initiated training of civilian public safety personnel in explosive device disposal techniques.

The Army trained selected District of Columbia police officers as helicopter pilots.

And the Department of Defense worked with the Law Enforcement Assistance Administration on several projects, including development by the Air Force of a small two-way radio for patrolmen.

**Assistance costs.** During FY 1971, in comparison with previous years, the need for employment of military forces to uphold the laws of the land declined somewhat because of an increased capability on the part of State and local law enforcement agencies. A total of \$10.2 million was expended or committed through the use of Department of Defense resources to support law enforcement activities including civil disturbance operations, training programs, and military customs inspection. This sum includes loaned and returned military property. The total value of military property loaned was approximately \$0.3 million.

In addition, close working relationships were maintained between law enforcement personnel at military installations and civil law enforcement personnel in surrounding communities. Such assistance cannot be computed on a cost data basis, but as an example of military-civilian interface in the preservation of law and order, it does constitute another form of assistance.

**Early release.** The Department of Defense also has an ongoing program which authorizes the early release from service of enlisted personnel who have indicated their intention to enter the field of civil law enforcement. Personnel accepted for employment by an established law

enforcement agency of a city, county, State, or Federal Government, including those of the territories of the United States, who have 3 months or less remaining in their periods of service, will be separated within 72 hours of notice of approval.

## Primary Mission of Defense

The primary mission of the Department of Defense is to support and defend the Constitution against all enemies, foreign and domestic; to ensure, by timely and effective military action, the security of the United States, its possessions, and areas vital to its interest; to uphold and advance the national policies and interests of the United States; and to safeguard the internal security of the United States.

The Department of Defense was established by the National Security Act Amendments of 1949 (63 Stat. 578; 5 U.S.C. 171)

## Constitutional Authority

The Constitution limits the power of the Federal Government, including its Military Establishment, but it does provide for Federal assistance to States to help them to "suppress Insurrections" and to insure "against domestic Violence."

Department of Defense policies in the area of assistance to Federal law enforcement and criminal justice assistance activities rest on the fundamental principle that the preservation of law and order is the function of those Federal departments and agencies charged by law with that responsibility and of State and local governments. As a rule, the Department of Defense is not one of those Federal departments charged by law with that responsibility.

Except for assistance to civil authorities in civil disturbance situations, an activity undertaken by the Department of Defense only at the specific direction of the President, Department of Defense law enforcement and crime prevention activities are limited to certain kinds of assistance and training programs and programs directed toward military personnel.

A detailed discussion of constitutional and legal considerations in regard to employing the Department of Defense in law enforcement, is provided in this chapter.

<sup>1</sup> This chapter contains no information on the military criminal justice system as such. The Office of Legal Counsel, Department of Justice, ruled that the scope of the statute calling for this report did not include such matters as military police operations, enforcement of the Uniform Code of Military Justice, and crime problems within the military generally.

cannot cope with the disturbance.

Loans of military resources to State and local authorities are another means by which the Department contributes assistance in civil disturbances. Loans may include such resources as personnel, arms, masks, helmets, and other military equipment.

Training programs conducted by the Department of Defense for military, State, and local personnel assist a wide range of officials in coping with civil disturbances.



Practical training in explosive ordnance disposal is provided to civilian officials by U.S. Army personnel.

**Narcotics and drugs.** The increased response by the Department of Defense to the problem of drug abuse among military personnel is related to a growing concern for its impact on civilian law enforcement. To reduce this impact, the Department has undertaken new programs to screen members of the military for drug addiction, identify offenders, and initiate treatment prior to separation for those identified. The Department of Defense also assists the Bureau of Customs, Department of the Treasury, in the inspection of military personnel, cargo, and mail in order to control the flow of contraband—including drugs—into the United States.

**Bombs.** In response to a growing problem of bomb threats, the Department of Defense assists civil authorities with bomb disposal. Explosive ordnance assistance is provided on request of Federal or civil authorities when it is in the interest of public safety. The Department also provides support to various agencies in developing disposal capability and in training personnel. During FY 1971, explosive ordnance disposal teams responded to 4,811 bomb incidents which were not at Department of Defense installations.

**District of Columbia.** Another Department of Defense

program concerning law enforcement provides for certain types of assistance to combat crime in the District of Columbia. Activities during FY 1971 included assistance to the Metropolitan Police Department in the installation of a two-way radio-telephone transceiver; helicopter pilot training, mentioned above; and the loan of several helicopters to the Metropolitan Police Department.

**Other programs.** Other areas of Department of Defense involvement in law enforcement include: a FY 1972 project to develop a small transceiver radio for use by law enforcement personnel in two-way voice communication; the ongoing Industrial Defense Survey Program, which assists management in safeguarding vital industry against hostile or destructive acts; and impact aid to communities located in areas of anti-ballistic missile sites. The latter program, as a result of the Treaty on Limitation of Anti-Ballistic Missile Systems signed May 26, 1972, by President Nixon and General Secretary Brezhnev of the Soviet Union, has no new funding in FY 1973, as discussed in the Anti-Ballistic Missile Site Impact Aid section of this chapter.

## The Military and Law Enforcement

The Framers of the Constitution sought to assure the proper use of military power in the United States, namely, to protect the Nation against all enemies, foreign and domestic.

The Framers sought, conversely, to prohibit the use of the military in such improper roles as assuming the duties of local law enforcement.

To that end, they gave the Military Establishment a unique status in the enforcement of Federal criminal law and in assisting States in the enforcement of their criminal laws.

Congress has implemented those provisions of the Constitution by prohibiting, in most instances, the use of military power to execute the laws.

Congress is empowered, however, to make certain exceptions to that general prohibition, and it has chosen to do so in four instances.

In the first three instances, military power can be employed to execute the laws and maintain order at the request of a State legislature or Governor, in the event of rebellion, and to protect the constitutional rights of

citizens. In those instances, the use of such power must be preceded by the issuance of a proclamation from the President, urging insurgents to disperse and retire peaceably.

The fourth instance involves assistance to the United States Secret Service, part of the Department of the Treasury, in protecting the President, certain other Government officials, and major political candidates.

**Other instances.** In other instances, Congress has authorized the Department of Defense to provide assistance to State law enforcement agencies and to the District of Columbia, but these activities do not involve any direct assistance in investigation, apprehension of suspects, or any other aspect of law enforcement. They are limited to research, training, loans of equipment, and the like.

Because of the importance of making clear the constitutional and statutory basis for invoking military power in domestic situations, a full description of the relevant Articles of the Constitution, the key Act of Congress, and the appropriate Department of Defense directives is presented below.

## Constitutional and Legal Limitations

Department of Defense involvement in any activities related to law enforcement is grounded on Articles of the Constitution and Acts of Congress.

Following are discussions of the controlling constitutional and legal provisions, accompanied by appropriate selections of text. Department of Defense directives which implement the law also are presented in this section.

The following provisions of the Constitution bear on the role of the military in Federal law enforcement and criminal justice assistance activities:

**Article I, Section 8:** The Congress shall have Power . . . To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions.

**Article II, Section 2:** The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States. . . .

**Article II, Section 3:** . . . he [the President] shall take Care that the Laws be faithfully executed. . . .

**Article IV, Section 4:** The United States shall guarantee to every State in this Union a Republican Form of Government.

tion of the laws.

In addition to the constitutional limits placed on the power of the Federal Government, there are other legal limits on the use of military forces within the United States. The most important of these is the Posse Comitatus Act (18 U.S.C. 1385), which provides:

Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

## Directives

Department of Defense policies and delineation of its responsibilities are promulgated in directives. Department of Defense Directive 3025.12, *Employment of Military Resources in the Event of Civil Disturbances*, discusses legal considerations as well as policies as follows in a major excerpt from the directive:

### V. Legal Considerations

- A. Under the Constitution and laws of the United States, the protection of life and property and the maintenance of public order are primarily the responsibilities of State and local governments, which have the necessary authority to enforce the laws. The Federal Government may assume this responsibility and this authority only in certain limited instances.
- B. Aside from the constitutional limitations of the power of the Federal Government at the local level, there are additional legal limits upon the use of military forces within the United States. The most important of these from a civil disturbance standpoint is the Posse Comitatus Act (18 U.S.C. 1385), which prohibits the use of any part of the Army or the Air Force to execute or enforce the laws, except as authorized by the Constitution or Act of Congress.
- C. The Constitution and Acts of Congress establish six exceptions, generally applicable within the entire territory of the United States, to which the Posse Comitatus Act prohibition does not apply.
  1. The Constitutional exceptions are two in number and are based upon the inherent legal right of the United States Government—a sovereign national entity under the Federal Constitution—to insure the preservation of public order and the carrying out of governmental operations within territorial limits, by force if necessary.
    - a. The emergency authority: Authorizes prompt and vigorous Federal action, including use of military forces, to prevent loss of life or wanton destruction of property and to restore governmental functioning and public order when sudden and unexpected civil disturbances, disasters, or calamities seriously endanger life and property and disrupt normal governmental functions to such an extent that duly constituted local authorities are unable to control the situation.
    - b. Protection of Federal property and functions: Authorizes Federal action, including the use of military forces, to protect Federal property and Federal governmental functions when the need for protection exists and duly constituted local authorities are unable or decline to provide adequate protection.
  2. There are four exceptions to the Posse Comitatus Act based on Acts of Congress.
    - a. In the cases of each of the first three of those described below, personal Presidential action, including the issuance of a proclamation calling

- (3) 10 U.S.C. 333: Authorizes use of the militia and Armed Forces when domestic violence or conspiracy hinders execution of State or Federal law, and a State cannot or will not protect the Constitutional rights of the citizens. Implements Article II, Section 3, and the 14th Amendment of the Constitution.
- (4) House Joint Resolution 1292, 6 June 1968: <sup>2</sup> Directs all departments of the Government, upon the request of the Secret Service, to assist that Service in carrying out its statutory duties to protect Government officials and major political candidates from physical harm. Assistance to the Secret Service is governed by DoD Directive 3025.13.

#### VI. Policies

- A. The employment of DoD military resources for assistance to civil authorities in controlling civil disturbances will normally be predicated upon the issuance of a Presidential Executive Order or Presidential directive authorizing and directing the Secretary of Defense to provide for the restoration of law and order in a specific State or locality. Exceptions to this condition will be limited to:
1. Cases of sudden and unexpected emergencies as described in V.C.1.a. above, which require that immediate military action be taken.
  2. Providing military resources to civil authorities as prescribed in Section X. of this Directive.
- B. The Attorney General of the United States is designated by the Interdepartmental Action Plan for Civil Disturbance dated April 1, 1969, to receive and coordinate preliminary requests from States for Federal military assistance authorized by 10 U.S.C. 331 (V.C.2.a.(1) above). Formal requests from States for such aid will be made to the President, who will determine what Federal action will be taken.
- C. The Secretary of the Army is delegated any and all of the authority of the President under Chapter 15 of Title 10, U.S.C. (V.C.2.a. (1), (2), and (3) above) which has been or may be hereafter delegated by the President to the Secretary of Defense.
- D. The Secretary of the Navy and the Secretary of the Air Force are delegated all that authority which has been or may be hereafter delegated by the President to the Secretary of Defense to order to active duty, units and members of the Reserve Components under their respective jurisdictions, except National Guard units and members, for use pursuant to Chapter 15 of Title 10, U.S.C. (V.C.2.a. (1), (2), and (3) above).
- E. DoD components and their subordinate activities will coordinate with local civil authorities or local military commanders as appropriate, to assure mutual understanding of the policies and procedures to be adhered to in an actual or anticipated civil disturbance situation.
- F. DoD civilian employees generally should not be used to assist civil authorities in connection with civil disturbances, except as provided for in X.B.3.
- G. The prepositioning of more than a battalion-sized unit, as authorized in VII.A.6., will be undertaken only with the approval of the President. Requests for the prepositioning of forces will be addressed to the Attorney General.
- b. It should be noted that none of the above authorities, in and of itself, provides sufficient legal basis to order members of the Reserve components to active Federal service.

<sup>2</sup> Although this resolution has been placed in the Statutes at Large as Public Law 70-331, 82 Stat. 170, it has not been codified; it is set out in the notes to 18 U.S.C. 3056.

Memorandum for the Secretary of the Army, "Assistance to the District of Columbia Government in Combating Crime," April 7, 1970; and c) Secretary of Defense multi-addressee memo, "Assistance to the District of Columbia Government in Combating Crime," April 7, 1970.

Employment of Department of Defense Resources in Support of the United States Secret Service is covered by Department of Defense Directive 3025.13, dated July 15, 1968, with references to the following: a) 18 U.S.C. 3056 and P.L. 90-331, "Joint Resolution—To Authorize the United States Secret Service to Furnish Protection to Major Presidential or Vice Presidential Candidates," approved June 6, 1968; b) "Interdepartmental Agreement Between the Department of Defense and the Department of the Treasury Concerning Secret Service Protective Responsibilities," June 10-11, 1968, and revision of June 27, 1968; and c) Department of Defense Instruction 5030.34, "Agreement Between the United States Secret Service and Department of Defense Concerning Protection of the President," December 30, 1965.

Department of Defense Directive 3025.12, Employment of Military Resources in the Event of Civil Disturbances, dated August 19, 1971, makes reference to: a) Department of Defense Directive 3025.13, "Employment of Department of Defense Resources in Support of the United States Secret Service," July 15, 1968; b) Interdepartmental Action Plan for Civil Disturbances, April 1, 1969; c) Department of Defense Directive 5200.27, "Acquisition of Information Concerning Persons and Organizations not affiliated with the Department of Defense," March 1, 1971; and d) Department of Defense Instruction 7200.9, "Financing and Reporting Costs of Military Resources Used in Civil Disturbances," January 26, 1970.

The responsibilities of the Department of Defense under the Interdepartmental Action Plan for Civil Disturbance, April 1, 1969, are carried out principally through the Department of the Army with the Secretary of the Army designated as Executive Agent. Department of the Army policy for providing assistance to civil law enforcement agencies is contained in Department of the Army Memorandum 500-2, Emergency Employment of Army and Other Resources, Civil Disturbance Activities and Operations.

## Assistance to Civil Authorities During Civil Disturbances

Under the Constitution and laws of the United States, the protection of life and property and the maintenance of public order are primarily the responsibilities of State and local governments.

The Federal Government may assume this responsibility and this authority only in certain limited instances. Under 10 U.S.C. 334, the President is required to issue a Proclamation calling for an end of the disturbance



when he considers it necessary to use Federal troops. If the Proclamation is not obeyed, the President may issue an Executive order directing the Secretary of Defense to employ such National Guard and Federal troops as necessary to restore law and order.

**Forces on alert.** Adequate forces are maintained on alert status to insure rapid response when the President approves a request from civil authorities for assistance in restoring law and order. When Federal forces are called on, emphasis is placed on the assistance role and on use of minimum force in all situations. Strict rules are prescribed for the use of deadly force and compliance with these rules is mandatory.

Since civil disturbances can differ greatly in size and nature, the exact use of military authority cannot be stated in a precise rule. Each case must be left to the judgment of responsible civil and military authorities. Federal statutes authorizing use of military forces do not necessarily specify how soldiers will be employed. The amount of force is dictated by the requirements of any given situation. At times, the mere presence of Federal military forces may be sufficient to restore peace and order.

**State forces.** When the military is required to cope with a civil disturbance, State forces normally are employed prior to use of active Federal troops. Federal troops are called upon only when State forces cannot contain the disturbance, or when State authorities will not act to enforce Federal law or to protect the constitutional rights of citizens within their borders. State forces normally include the National Guard, which is part of the organized militia of the States, Puerto Rico, and the District

Military personnel are deployed at the May Day 1971 demonstrations in Washington, D.C. (Photo by A. J. Smith)

of Columbia. When not in the service of the United States, the National Guard of a State is under the jurisdiction of the Governor, who has the authority to employ the Guard to suppress civil disturbances within his State. When he does so, members of the Guard called to duty operate in accordance with State laws or under emergency authority proclaimed by the Governor.

**Directorate.** Civil disturbance assistance activities of the Department of Defense were carried out on an ad hoc basis until the mid-1960's, when a Directorate was established within the Department of the Army with the capability of controlling multiple civil disturbances.

Department of Defense Directive 3025.12, Employment of Military Resources in the Event of Civil Disturbances, designates the Secretary of the Army as the Executive Agent for all matters pertaining to planning for and deployment of Department of Defense resources in the event of civil disturbances. It is the operational function of the Directorate of Military Support, within the Office of the Chief of Staff, U.S. Army, to provide Federal military force which can speedily respond to directives from the President. It provides proper staff support, develops policy, advises the Secretary of the Army and Chief of Staff, supervises and coordinates the execution of approved plans, and monitors the development of control measures, equipment, literature, and training in the civil disturbance area. The Directorate also supervises operations involving all Federal military response to civil disorders and maintains an around-the-clock watch team in the Army Operations Center to monitor imminent and ongoing disorders.

unit would be undertaken only with the approval of the President. This change reflected specific guidance in the Interdepartmental Action Plan for Civil Disturbances.

(2) The Department of Defense Executive Agent (The Secretary of the Army) was given responsibility for improving and evaluating the capabilities of the National Guard in civil disturbance operations. This also reflected specific guidance contained in the Interdepartmental Action Plan.

(3) Based on operational experience, the classification of military resources available for loan was made more complete and descriptive and procedures concerning the approval of loan requests more definitive.

(4) The revised directive also clarified the responsibility for the Department of Defense onsite Public Affairs Chief, indicated the prerogative of the White House to assign public affairs responsibility to either the Department of Defense or to the Department of Justice in any given disturbance, provided guidance to military commanders receiving requests from civilian authorities for civil disturbance training assistance, and stated that Department of Defense civilians (notably firefighting personnel) should not be used to assist civil authorities in connection with civil disturbances.

## Background

The use of Federal force to control civil disturbances has a long history. Federal forces were first used by President Washington during the Whisky Rebellion of 1794. At that time, because of violent resistance in western Pennsylvania to a Federal tax on the production of whisky, the President requisitioned 15,000 militia men from Pennsylvania, Maryland, New Jersey, and Virginia, and placed General (Light Horse) Harry Lee, then Governor of Virginia, in command. In short order, this force brought the insurrection under control and restored the authority of the Government.

Since that time, various Presidents, under constitutional and statutory authority, have used troops in a number of disturbances. This has led to the establishment of the precedent currently reflected in national policy. State authorities requested the assistance of Federal forces at least eight times in the 19th century, and on several occasions, troops were actually deployed.

World War II to 1964. The most notable instances of Federal intervention after World War II and prior to 1964 were those in Little Rock, Ark., 1957-1958; in Oxford, Miss., 1962-1963; and in the integration crisis of the University of Alabama at Tuscaloosa and Huntsville in June 1963. During the confrontation in Montgomery, Ala., in 1961, involving the freedom riders, the Army made plans for the possible support of Federal deputy marshals. Racial difficulties in Birmingham, Ala., in May 1963 led to the deployment, but not the employment, of Federal troops.

1964 to 1968. The six most important uses of Federal

troops from 1964 to the fall of 1968 were the civil rights march from Selma to Montgomery, Ala., in 1965, which did not result in a civil disturbance; the Detroit, Mich., riot of 1967; the anti-Vietnam war demonstration at the Pentagon in 1967; and the riots in Baltimore, Md., Washington, D.C., and Chicago, Ill., that followed the murder of the Rev. Dr. Martin Luther King, Jr., in April 1968.

**Civil disturbance planning.** The primary responsibility for coordinating the planning and rendering of military assistance to civil authorities in domestic disturbances is a historic function of the Department of the Army. The Army accepts this function with reluctance, since identification with police activity is not in consonance with its mission of national defense. As a result, planning for civil disturbances prior to 1963 was accomplished on an ad hoc basis, with discussion of the subject limited to training manuals and other Army publications.

Difficulties over voter registration in Oxford, Miss., and troubles in Alabama led to increased civil disturbance planning by the Army and the Department of Justice in April 1963. In May 1963, the Joint Chiefs of Staff instructed the United States Strike Command to prepare detailed plans for the deployment of civil disturbance forces to and from objective areas within the continental United States.

Accordingly, on July 20, 1963, Strike Command published an operations plan, entitled CINCSTRIKE OPLAN 563. Under this plan, nicknamed STEEP HILL, 21,000 troops, comprising seven brigades, became available for riot duty. The original STEEP HILL plan remained in effect during the next 4 years, with revisions limited to force structure. It resulted in a considerable number of implementing plans as subordinate units perfected their own roles in civil disturbance operations. In February 1967, the Strike Command changed the nickname of CINCSTRIKE 563 from STEEP HILL to GARDEN PLOT. Although the STEEP HILL period ended, the planning structure remained the same.

**Commission on Civil Disorders.** On July 28, 1967, after more than 150 cities reported disorders ranging from minor disturbances to such violent outbursts as the large-scale riots in Newark, N.J., and Detroit, Mich., the President established the National Advisory Commission on Civil Disorders. The purpose of the Commission was to identify the causes of rioting and to recommend what might be done to rid American society of those causes.

**Army plan.** At the same time, the Army embarked on a greatly expanded program of preparing for possible future disturbances. This program included a comprehen-



sive training program for both the National Guard and the Regular Army; a course at Fort Gordon, Ga., designed to improve coordinated planning by civil police, the Regular Army, and the National Guard; and a significantly expanded planning effort by the Army. Planning progressed rapidly and by January 31, 1968, new plans had been prepared for Federal and National Guard forces to deal with simultaneous civil disturbances within the continental United States.

The Detroit riot of July 1967 prompted the Army Chief of Staff to establish on August 4, 1967, a task group to study every aspect of the Army's role in civil disturbances.

Foremost among the projects of the task group was the development of a revised civil disturbance plan. Its purpose was to provide the basic guidance necessary for the development of plans at all levels to insure that Department of the Army responsibilities in civil disturbance operations were promptly and effectively accomplished. Subordinate headquarters were to implement the departmental plans by preparing the necessary operational and supporting plans.

**Planning packets.** On August 25, 1967, the Department of the Army sponsored a conference on civil disturbances to discuss the planning, coordination, and liaison to be undertaken between the Army, the National Guard, and local officials. Following the conference, the Army instituted liaison visits to all State Adjutants General within the continental limits of the United States and prepared planning packets on a number of cities in which there was reason to believe, on the basis of available information, that there might be future civil disturbances. The purpose

State Police are joined by National Guard, called upon to assist during demonstrations on the campus of the University of Maryland in 1971. (Washington Evening Star photo)

of the packets was to assist Federal forces to be more responsive during the first few hours of Federal commitment.

The packets summarized vital statistics of the local government, including its recent history of civil disturbances, and the training readiness of local police forces. The packets also listed Federal, State, and local agencies and officials, important commercial firms, utility and transportation companies, and airports and helicopter landing zones. Each packet contained annotated maps showing the locations of all important facilities.

**Plan outline.** Planning assumed that civil disturbances could occur simultaneously in 25 high priority areas. Planners also anticipated that the total strength of forces involved might reach five brigades of 10,000 men in each high priority area. This figure included all participating services and Reserve components plus supporting elements, with the exception of Washington, D.C., where forces totaling 30,000 troops were planned.

Operations and support plans were prepared for each of the 25 high priority areas to include provisions for employing available National Guard and designated Reserve units. Twenty-six civil disturbance task force headquarters (one for each high priority city, except Washington, D.C., for which two were provided) were designated to insure timely and effective response to disturbances occurring simultaneously in different geographical areas.

In addition, planning provided for prepositioning com-



munications equipment, search lights, public address equipment, protective masks, dispersers for riot control agents, and riot control chemical munitions at selected depots.

The task group was dissolved on January 22, 1968, upon the establishment of the Department of the Army Civil Disturbance Committee, the membership of which was much the same as that of the task group. The committee thereupon undertook to supervise the completion of the actions initiated by this task group and to serve as the Department of the Army planning group when an actual civil disturbance was either anticipated or in progress. Initial action was devoted to the publication, on February 1, 1968, of the Department of the Army Civil Disturbance Plan, **CARDEN PLOT**.

As the Army's planning for civil disturbances became more sophisticated, so did the Army's staff organization for conducting civil disturbance operations from its Washington Headquarters. Within the span of a few years, the Army moved from a special ad hoc group responding to each incident, to a completely established directorate devoted entirely to civil disturbance planning and operations.

**King assassination.** The multiple disorders which followed the assassination of the Rev. Dr. Martin Luther King, Jr., emphasized the necessity for a Department of Defense agency to centralize and direct the Department of Defense functions required for the control of multiple civil disturbances. Accordingly, in April 1968 the Directorate of Civil Disturbance Planning and Operations (later redesignated the Directorate of Military Support) was established by the Secretary of Defense.

**Washington Spring Project.** Watch Teams established as a part of the new Directorate assumed around-the-clock operations during the Washington Spring Project in 1968. This was the period when thousands of people converged upon Washington, D.C., and erected a temporary camp known as Resurrection City. The stated purpose of the Washington Spring Project demonstration was to bring to the attention of Congress the plight of the poor people of the nation. Thus the Directorate, conceived during the crisis of the April riots, began operations during the critical period of the Washington Spring Project.

**1968 Democratic Convention.** The threat of civil disturbance continued in August 1968 with the opening of the Democratic National Convention in Chicago. Many statements from dissident groups indicated determined activities to disrupt the proceedings of the convention. Local, State, and Federal agencies therefore made extensive preparations. Joint planning conferences were held

serious incidents of antiwar and student-related activities which involved the danger of violent disorders beyond the control capabilities of local and State authorities. The first major incident of this type had occurred in October 1967 when, as mentioned previously, a large crowd of war protesters assembled at the Pentagon. On that occasion, Federal troops were employed at the Pentagon to protect Federal property and to prevent disruption of Department of Defense functions.

As a precaution against the possibility of civil disturbance growing out of antiwar demonstrations, Federal forces were strategically deployed on four occasions during FY 1970.

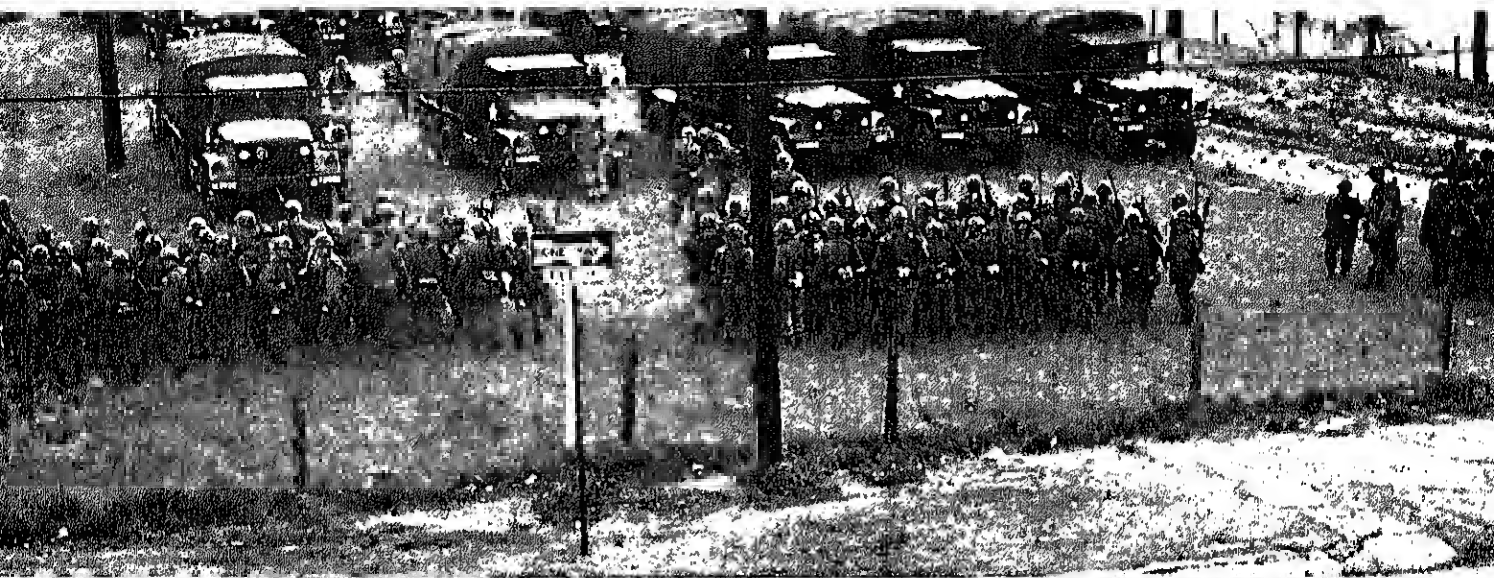
Although National Guard troops were called on several occasions to control incipient or actual civil disorders during FY 1970, there were no incidents which required the employment of Federal troops to restore order.

Though public disorder was frequent, it decreased in intensity from the high water mark of April 1968. Consequently, the number of metropolitan areas designated likely to experience disorder of such magnitude as to require Federal assistance was substantially reduced. A corresponding reduction was made in the number of Army and Army Reserve units required to be trained and maintained in readiness for civil disturbance operations.

**Antiwar moratoriums.** The first FY 1970 deployment of Federal troops resulted from the Moratorium against the Vietnam War, which was scheduled for October 1969. A number of antiwar organizations throughout the United States pledged their support and stated their intentions to disrupt activities at several military installations. To protect installations faced with the grave threat of disorder, small contingents of military troops were deployed to Fort Dix, N.J.; Rock Island Arsenal, Ill.; Carlisle Barracks, Pa.; Boston Army Base, Mass.; and Hamilton, N.Y. Violent disruptions occurred only at Fort Dix, and these were quickly contained by local military police.

During the period November 13-15, 1969, extensive Moratorium activities took place at Washington, D.C., and other cities across the country, notably San Francisco, Calif. Though events were monitored by Department of the Army personnel in San Francisco, only in the National Capital were Federal troops actually deployed. There more than 11,000 troops were prepositioned in anticipation of possible disorder. These units were carefully controlled and their mission strictly defined by the Directorate of Civil Disturbance Planning and Operations. Subsequent to the Moratorium, two major incidents of violence were successfully brought under control by local law enforcement personnel.

**Black Panther protests.** The murder trial of several members of the Black Panther Party in New Haven, Conn., provided the basis in May 1970 for a large-scale protest by students and others, raising the imminent prospect of violence. The Governor of Connecticut requested that Federal forces be prepositioned near the scene of the demonstration. In response to this request, the Pres-



directed the Department of Defense to provide necessary forces. Two brigades were airlifted to military installations in nearby States where they would be available for use if needed. No large-scale violence took place, however, and the troops were returned to their home bases without actually being employed to maintain order.

**Kent State protest.** The final repositioning of Federal troops in FY 1970 occurred on May 9, 1970, in Washington, D.C. Antiwar and student groups responding to American military operations in Cambodia and the deaths of four students at Kent State University called for a mass protest gathering in front of the White House. A request by the Secret Service for assistance in protecting the President and preventing the destruction of Federal property resulted in the repositioning by the Department of Defense of Federal troops near the White House.

Once again, the employment of military forces was not required, since police were able to contain the relatively minor violence which erupted. However, military resources were provided to meet the medical and health-related needs of the citizens. Water trucks, salt tablets, and first aid assistance were made available.

**FY 1971 disorder.** Only one major disorder occurred during FY 1971 which required the employment of Federal forces. Statements as early as September 11, 1970, by various antiwar groups indicated that Washington, D.C., would be the scene of a series of antiwar demonstrations during April and May 1971. First, an ad hoc group of women planned to stage a march on the Pentagon on April 10. Next, the Vietnam Veterans Against

U.S Army troops posted in readiness during the May Day 1971 demonstrations. (Washington Evening Star photo)

during the week of April 19-23. A march and demonstration were planned by the National Peace Action Coalition for April 24. Finally, during the period May 3-5 the Peoples Coalition for Peace and Justice planned to conduct demonstrations intended to close down the Government.

The most serious threat was the possibility of having a large number of cars abandoned during the early morning rush hours on the main roads leading to the District during the early stages of the May 3-5 activity. The Department of Justice and the District of Columbia Government held frequent planning conferences during March and April to coordinate Government plans and actions to counteract these threats.

During these early conferences there was no indication that the demonstrations would exceed the crowd capability of the Metropolitan Police Department supported by the District of Columbia National Guard. Consideration was given to the use of Federal military resources only to assist the police in removing stalled vehicles or other obstacles to traffic which might occur during the May demonstrations. On April 20, indications that the Pentagon might be the target of sizable demonstrations during the period from April 24 through May 5 resulted in preparations to implement contingency plans for use of troops to protect the Pentagon and other Federal properties and functions as required.

Although the April 24 demonstration was attended by an estimated crowd of 200,000 persons, it was orderly and unmarred by serious incident. Elements of the District

police and used to relieve Metropolitan Police Department personnel in outlying police districts. Neither the Guard nor Federal forces was employed.

**April 29.** On April 29, 1971, however, it appeared likely that it would be necessary to preposition Federal forces in Washington during the threatened May demonstration. Accordingly, designated Federal forces were placed on an increased alert status. On May 1, the threat of widespread disorder appeared imminent. As a result, the Deputy Attorney General requested that a force of Federal troops be moved to assembly areas around Washington on an expedited basis. On the morning of May 3, Federal forces provided security on several critical bridges crossing the Potomac River into Washington, at the Pentagon, and at several key positions inside the District.

Disruptive activities by the demonstrators commenced at 5:50 a.m. and police were confronted by widespread hit-and-run tactics. Disorder continued throughout the morning rush hour. By 1:00 p.m., the disruptive activities had decreased significantly. During the evening rush hour of May 3 and again on the morning of May 4, Federal forces were employed to secure critical bridges and traffic intersections. During the morning of May 4, no serious interruptions in traffic occurred and the intensity of the demonstration decreased to the point where release of Federal troops was considered appropriate. Accordingly, redeployment began on May 4 and was completed on May 6, 1971.

**Loan of material.** In addition to Federal troop support, a considerable amount of material was loaned or expended at the request of the Department of Justice. This included 900 blankets loaned to the Metropolitan Police Department and 8,500 additional blankets stored at Andrews Air Force Base for loan if requested. Ten thousand meals (combat rations) were issued to the Metropolitan Police Department, and 21,000 additional meals were stored at Andrews Air Force Base for possible future requirements. Assorted medicines were issued to the Public Health Service by Walter Reed General Hospital for use at the Metropolitan Police Department detention facility.

During FY 1971, then, there were no confrontations between Federal troops and demonstrators. Employment of Federal resources to assist local authorities in the protection of Government property and functions was executed in an effective manner and without unfavorable incidents.

No funds are appropriated for Department of Defense assistance to civil authorities in civil disturbances. Department of Defense expenditures in connection with support are obtained from funds allocated to other budget projects of the military services.

## Present Resources

All Department of Defense resources may be employed in support of civil authorities during civil disturbance within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof consistent with defense priorities. These resources include the active Army, Navy, Air Force, and Marines as well as National Guard when called or ordered to Federal service. Active Army and Marine Corps forces and the National Guard have been trained and equipped for civil disturbance control operations. Special items of equipment available for civil disturbance operations include plastic face shields, gas helmets, protective vests, riot shotguns, and chemical munitions.

## Loans of Military Resources to Civil Authorities

In certain limited situations, the Department of Defense makes temporary, emergency loans of military equipment to State and local law enforcement agencies to help quash civil disorders. Resource loans constitute the largest program of Department of Defense assistance to civil authorities, and although they comprise a significant portion of Department of Defense support provided under Directive 3025.12, civil authorities are encouraged to provide sufficient resources to minimize reliance on Department of Defense assistance. These loans accomplish a military purpose because they lessen the likelihood that Federal troops or National Guard forces will have to be called on.

The program has an additional advantage. When either Federal or National Guard forces are needed to aid civil authorities, funds expended must be those appropriated by Congress. The States pay most of the cost when National Guard is serving as State militia, even if federally supplied equipment and materials are used. Funds expended. Appropriated funds can therefore be saved through short-term loans without violating congressional instructions not to spend money for a purpose not intended by Congress. Long-term or indefinite loans, on the other hand, cannot be satisfactorily justified on this basis, and such loans are not permitted by current policy.

**Formal policy.** Prior to the Detroit riot of 1967, there was no formal policy for loan of military resources to

for Civil Disturbance Planning and Operations developed the loan concept contained in the current Department of the Army Civil Disturbance Plan.

**Approval of loan requests.** Approval of loan requests is based on the sensitivity of the item requested. Accordingly, Department of Defense resources are classified in three groups: Group One, consisting of personnel, arms, ammunition, tank-automotive equipment, and aircraft; Group Two, including riot control agents (chemical munitions), concertina wire, and other like military equipment used to enforce law and maintain order; and Group Three, providing for items essentially of a protective nature such as masks, helmets, and armored vests.

Requests for resources classified as Group One may only be approved by the Department of Defense Executive Agent (delegated to the Under Secretary of the Army) with authority further to delegate Group Two approval to the Director and Deputy Director of Military Support and to a task force commander when required. Group Three resources may be approved for loan by the service Secretaries, Continental United States Army and Military District of Washington commanders, Air Force base commanders, and Naval District commandants. Requests for personnel to be used in a direct law enforcement role must be made by the legislature or Governor of a State in accordance with 10 U.S.C. 331. Pursuant to the Posse Comitatus Act, Department of Defense operating personnel employed in connection with loaned equipment may not be used in a direct law enforcement role.

Installation commanders are authorized to provide emergency explosive ordnance disposal service and firefighting assistance in connection with civil disturbances. Where installation fire departments have mutual aid agreements with nearby civil communities, the installation commander is authorized to provide emergency civilian or mixed civilian and military firefighting assistance.

In the absence of a mutual aid agreement, and when in the best interest of the United States, a commander having Group Three approval authority is authorized to provide emergency civilian or mixed civilian and military assistance in extinguishing fires and in preserving life and property from fire within the vicinity of an installation.

In either case, civilian firefighters may be used, provided:

- (1) In civil disturbance situations where there is significant danger of physical harm to firefighters, the civilian employees volunteer for the assignment;

- (2) Firefighting equipment is not used for riot control; and

- (3) Civil authorities recognize that prior to the commitment of Federal forces to assist in restoring law and order, the protection of firefighting crews and equipment is the responsibility, in ascending order, of municipal, county, and State officials. Failure on the part of such authorities to recognize this responsibility or to provide adequate protection constitutes grounds for refusal to commit installation resources or for withdrawal of resources already employed.

Military installation stockage is usually adequate to meet the requests of civil authorities. Wide dispersion of these installations provides balanced geographical distribution. Requests for loans may be made to the local installation, Army, Navy, Air Force, Marine, or Department of Defense agency, e.g., Defense Supply Agency. If the local installation is unable to provide the requested item, the request is passed through the chain of command until it can be supplied. All resources are loaned contingent on availability and noninterference with the mission of the Department of Defense.

**Types of loans.** Loans are categorized by type contingent upon the duration of the loan period. Type I loans are made to meet an urgent need during an actual disorder, up to a maximum term of 15 days. Type II loans are made to meet a need in anticipation of an imminent threatened civil disorder. Loans of this type have a maximum term of 90 days. Such loans may be granted to a civil authority when a binding purchase contract has been executed to procure resources substantially similar to the military property requested and there is substantial lead time before delivery. Both Type I and II loans may be extended for good cause shown.

A loan agreement to include provisions for a fidelity bond will be executed concurrently with all loans of military property to civil authorities. Bond will be forfeited for failure to return loaned property only with the concurrence of the Department of Defense Executive Agent.

Sixty-four loan requests from 27 separate municipalities (including National Guard requests) were approved in FY 1970. During FY 1971, 40 loan requests from 15 municipalities (including National Guard requests) were approved. Fifteen different types of equipment were loaned with a total property value of \$288,698.

## Civil Disturbance Orientation and Training Programs

The Department of Defense conducts orientation and training programs for military personnel, State and local law enforcement officers, safety personnel, and other selected government officials with a view to sharing expertise and improving cooperation between civil and military leaders in crime prevention and law enforcement.

These programs include the Senior Officers Civil Disturbance Orientation Course (SEADOC), riot control demonstrations for the Federal Bureau of Investigation Training Academy, and a Border Patrol Civil Disturbance Orientation Course.

As part of its overall function in support of civil authorities in civil disturbances, the U.S. Army operates the Senior Officers Civil Disturbance Orientation Course (SEADOC).

The course offers instruction for senior military officers, police, and government law enforcement officials in civil disturbance control planning and operations.

The Military Police School at Fort Gordon, Ga., conducts the week-long course on an average of twice a month. It is aimed at achieving a common background and mutual understanding between military and civilian law enforcement representatives. Emphasis is placed on increased general awareness of the range of problems involved in civil disorders as well as on providing proper preventive and preparatory measures and employing functional management techniques during actual confrontations.

**Scope.** The scope of the course encompasses discussion of past civil disturbance operations, manifestations of dissent, police-press-community relationships, special threats, operational techniques, police intelligence, interagency authority and responsibility, legal aspects of managing civil disorders, and use of munitions and special equipment. The respective roles of municipal, State, and Federal agencies are reviewed and an evaluation is made of community plans and preparations.

**Background.** Planning for SEADOC goes back to 1964 when the President, in a White House press statement, instructed the Secretary of Defense to enlarge the Army's program for demonstrations of riot control techniques. On September 26, 1964, the President stated that he wanted training in these techniques to be made available to the National Guard and local police. The Army developed a coordinated plan to carry out the President's policy.

A proposed plan to enlarge the program for the demonstration of riot control techniques was formulated in October 1964. It encompassed a long-range response by recommending the establishment of a civil disturbance instruction course. This training course was to be offered primarily to the Active Army and National Guard and secondarily to civilian authorities designated by the FBI.

Eligibility requirements were relaxed in January 1969 with issuance of Chief of Staff Memorandum 69-9. This memorandum provided for attendance by senior officers of Active and Reserve components from all of the military services, civil law enforcement agencies, and key civilian officials, such as mayors, fire chiefs, and civil defense officials. Senior officers were defined as military officers in the grade of major and above, and civilians of equivalent grade.

The first Senior Officers Civil Disturbance Orientation Course was conducted in 1968, having been established by direction of the Chief of Staff, Army, in January of that year. Guidance initiating the course was set forth in Chief of Staff Memorandum 68-15, dated January 15, 1968. It directed the Department of the Army to institute a training course on an "as required" basis to provide instruction in civil disturbance planning and operations

for senior officers of the Active Army, National Guard, Army Reserve, civil police, and civil police mobile training teams. Beginning on February 12, 1968, one course was conducted each week for the next 15 months with an attendance of 2,513 military officers and 1,125 civilian officials.

**Funding.** Initially, the course was operated with unprogrammed funds. Direct costs totaled approximately \$160,000, and indirect costs were approximately \$175,000. This money was provided by diverting funds programmed for other uses by the Military Police School at Fort Gordon. For the first 15-month period, the course was conducted as an additional mission without an increase in staff, faculty, or funds.

Shortly after completion of this first series, new needs arose which justified resumption of the course in the third quarter FY 1970. The military services had requested training for approximately 1,600 personnel; civilian requests for attendance came to about 800. It was recommended that SEADOC be conducted twice monthly with 70 students per class. To support this recommendation, 33 personnel spaces and operating and travel funds of \$103,100 for FY 1970 and \$220,600 for FY 1971 were required. With the funding of \$103,000 for FY 1970, the Budget Execution Review, SEADOC was resumed on May 10, 1970. During the remainder of FY 1970, 104 military and 104 civilians attended.

**Attendance.** During FY 1971, a total of 1,505 students, 680 civilians and 825 military—attended. Attendance in FY 1971 indicated a steady increase in the number of civilians attending the course. Towards the end of the year, 50 percent of the class consisted of civilians. The cost in FY 1971 was approximately \$155 per student for a total expenditure of \$233,275.

In May 1971, the Law Enforcement Assistance Administration (LEAA), part of the Department of Justice, proposed that civilian participation be increased from 850 a year to 1,400 a year for a 5-year period. The cost of that expansion was to be borne by LEAA.

## Riot Control Demonstration

Allied in purpose and procedure to SEADOC are riot control training seminars and riot control demonstrations conducted twice a year by the Provost Marshal General, Department of the Army, for students of the National Training Academy.

A seminar preceding each demonstration provides a forum for the approximately 100 members of each class to discuss problems of mutual concern to civilian

military authorities and to learn of military plans and techniques. Each demonstration is attended by the FBI students, who are senior officials of civil law enforcement agencies, as well as by an audience of approximately 3,000 invited military and civilian guests.

**Authority.** These semiannual riot control seminars and demonstrations in support of FBI training are carried out under the Interdepartmental Action Plan for Civil Disturbance, dated April 1, 1969, and Army Staff Memorandum 70-65, Planning and Training for Civil Disturbance Operations.

**Background.** In October 1962, the Director of the FBI formally requested that the Army provide such instruction. The current series of seminars and demonstrations has been conducted since June 1963 with one interruption during 1965-66.

Each demonstration employs approximately 500 Army military police and engineer personnel. Normally, the Commanding General, U.S. Continental Army Command, assigns the 519th Military Police Battalion, First United States Army, Fort George G. Meade, Md., to execute the mission. The demonstrations are held at Fort Belvoir, Va., and are supported by Army Engineer units. The seminar, which precedes each demonstration, is conducted by three members of the Army staff and one civilian law enforcement official.

**Funding.** The Department of the Army pays for costs of the demonstrations. The average annual cost of each demonstration was \$20,000 (\$40,000 annually) through FY 1970. Changes in types and quantities of pyrotechnics used permitted reduction of the \$21,000 cost of the October 1970 demonstration to \$18,000 in May 1971. Costs are projected at \$36,000 for FY 1972.

The Army is afforded an opportunity to send two officers to each session of the FBI National Academy without reimbursement to that agency for the costs of \$1,800 per student (\$7,200 annually). The FBI provides leased lines valued at approximately \$12,000 per year for National Crime Information Center terminals at each major Army command headquarters in the United States and the Office of the Provost Marshal General, without reimbursement. The Army also benefits from use of FBI computer services, the precise dollar value of which is undetermined. Accordingly, reimbursement for the riot control training is not requested of the FBI.

## Border Patrol Course

From October 5-9, 1970, a special Civil Disturbance Orientation Course was conducted by the Military Police

**Phases.** The first phase of instruction examined the nature of the civil disorder threat in the Nation as well as general considerations for effectively meeting that threat. Contemporary social unrest, manifestations of dissent, and confrontation with management were also discussed.

The second phase examined what can be done to prevent social tensions from escalating into major disturbances and what actions can be taken to prepare for disturbances. Subjects discussed included news media relations, police intelligence, interagency authority and responsibility, and planning and training considerations.

The third phase examined operational doctrine for controlling civil disorder. Legal aspects of managing civil disorder, operational tasks and techniques, riot control formations, and riot control agents and special equipment were among the subjects covered.

The fourth phase examined development and management of training programs. Subjects included programs of instruction, instructional methods in media, lesson plan preparation, and speaking and communicating generally.

The final phase was a 4-hour tactical exercise designed to present participants with realistic situations likely to confront border patrol officers during civil disturbance control operations.

No Department of the Army funds of a substantial amount were expended in the conduct of the course. The costs of travel, billeting, and per diem expenses were borne by the Immigration and Naturalization Service.

## Drug Abuse Among Service Personnel

During FY 1971, the use of drugs in the Armed Forces, as in the Nation, increased.

One measure of this was the number of military members investigated by law enforcement agencies because of drugs. This total increased by 80 percent from 1968 to 1969, and by 38 percent from 1969 to 1970.

In Vietnam during calendar year 1970, more than 700 U.S. military members were investigated for involvement with hard narcotics. The corresponding figure for just the first calendar quarter of 1971 was more than 800.

Marijuana was the illegal drug most often used by American troops worldwide, as is demonstrated by the statistics on numbers of military individuals investigated worldwide in the table on page 326.

**Heroin in Vietnam.** It became clear by June 1970, that the most serious drug problem by far was that of the use of hard narcotics, particularly heroin, by troops in South Vietnam.

At the time, and up to late June 1971, the number of military members using heroin and other drugs was unknown. During the first calendar quarter of 1971, more

The consequences of drug abuse were alarming when viewed in terms of drug-related deaths during calendar year 1970. There were a total of 69 deaths from opiate abuse, and 26 deaths from the abuse of Darvon.

## Investigations of Military Personnel for Use of Hard Narcotics, Marijuana, and Dangerous Drugs

	Number of military individuals investigated		
	1968	1969	1970
<b>Narcotics:</b>			
Army.....	434	961	2,306
Navy.....	382	433	623
Air Force.....	171	259	319
Marine Corps.....	203	636	733
Total.....	1,190	2,289	3,981
<b>Marijuana:</b>			
Army.....	7,450	12,739	17,472
Navy.....	4,395	5,909	7,511
Air Force.....	2,553	3,118	2,715
Marine Corps.....	2,470	4,210	4,795
Total.....	16,868	25,976	32,493
<b>Dangerous drugs:</b>			
Army.....	318	1,453	3,013
Navy.....	1,188	1,447	2,476
Air Force.....	151	245	773
Marine Corps.....	447	985	1,600
Total.....	2,104	4,130	7,862

With the introduction of urinalysis screening techniques in late FY 1971, the services are now able more accurately to determine the number of drug abusers. These techniques have now been in use for more than 7 months and are assisting greatly in identifying drug abusers for early treatment, as well as acting as a deterrent to potential abusers.

Statistics based on this scientific screening method thus far for FY 1972 indicate that the heroin epidemic in Vietnam has been reversed.

**Supplemental funds.** On June 30, 1971, the Department of Defense submitted to Congress a supplement to the FY 1972 budget requesting \$34,225,000 to undertake a major expansion of programs for the prevention of drug abuse and for the identification and treatment of drug-dependent persons in the Armed Forces.

## Impact on Civilian Law Enforcement

Narcotic addiction and chronic drug abuse among current and former service personnel have a serious impact on the civil community and hence upon civilian law enforcement.

The efforts of civilian police to control narcotics offenses are more difficult in those municipalities which are near military installations. Although specific figures are not available, it is clear that servicemen contribute to the magnitude of the overall problem.

One qualification is that service personnel are more likely to be consumers of narcotics and dangerous drugs than pushers.

environments, service members are possibly more susceptible to drug use and thus offer a lucrative target to the big city traffickers. On the other hand, because of the relatively closely supervised nature of life in barracks, servicemen have fewer opportunities to deal in drugs.

Nevertheless their propensity to experiment and to obtain relief from the routine of military life as well as to escape from real or imagined grievances in service unquestionably increases the demand for drugs in those cities which are accessible to large numbers of servicemen on pass or leave.

The task of civilian police in coping with the service member aspect of the problem is further complicated by the transitory nature of military life, which makes apprehension and conviction more difficult.

**Return to civilian life.** Drug abusers who are not discovered and treated in service can become a problem for the communities in which they resume civilian life. To this extent the problem may become even more serious than before because of the existence of fewer restraints on personal conduct in the civilian community than in the military. Thus, habits incidentally acquired in the military can become major troubles for civilian authority.

## Screening Program

To reverse the impact of this situation on the civilian community, the military in early FY 1972 undertook new programs to screen members for drug addiction, identify offenders, and provide a minimum of 30 days of in-service treatment prior to separation for those so identified.

In this way it is hoped that a measure of rehabilitation prior to separation will benefit both the individual and society, thus easing the already overburdened tasks of civilian law enforcement officials. The merits of these programs are being evaluated.

**New policy.** In July 1970, a high-level task force, with representatives of the Secretary of Defense and all Services, was appointed to examine current policy and major programs in the drug area and to recommend appropriate policy revisions. As a result of the recommendations of that task force, a new Department of Defense policy on drug abuse was issued in October 1970.

Highlights of that policy include the following:



- dependency.
- ☐ The military services are encouraged to conduct amnesty programs on a trial basis.

Efforts increased. As a result of this new policy, the level of effort and the number of military activities related to drug control and treatment increased manyfold during the fiscal year. Many initiatives were taken by the military services and their commanders in establishing preventive and corrective drug programs.

## Innovative Programs

The military services, in cooperation with other agencies of the Federal Government, have developed a number of programs to cope with the problem of heroin addiction and drug abuse.

Reports on some of those programs follow.

**West Germany.** During May 1970, a Joint Department of Defense and Department of Justice military drug investigators training team was sent to Wiesbaden, West Germany, where classes were conducted by members of the Bureau of Narcotics and Dangerous Drugs. Students in attendance were investigator members of the Army, Navy, Air Force, and Marine Corps.

Three public seminars for noninvestigative personnel were also conducted for U.S. dependent junior high school and high school students, enlisted men, noncommissioned officers, officers, and interested adults.

**Far East.** During November and December 1970, a joint Department of Defense and Department of Justice Investigator training school for the Far East was conducted in Japan by members of the Bureau of Narcotics and Dangerous Drugs. Eighty-three U.S. military investigators attended the 2-week drug investigators school. They came from duty in Japan, Okinawa, Korea, Vietnam, Thailand, Taiwan, and the Philippines.

Prior to, and concurrent with the school, 39 public seminars for noninvestigative personnel were held during the 22,000-mile trip through the Pacific area. A total of 22,660 military persons, dependents, and school teachers were in attendance in seminars in Hawaii, Guam, Japan, Okinawa, the Philippines, and Korea.

**Navy specialist program.** The Navy has a drug abuse Education Specialist School in operation in San Diego, Calif. Upon graduation, the selected enlisted men students were assigned to major afloat and shore commands with a primary duty to organize training and education programs and provide counseling for those with drug problems.

**Dependent student program.** A peer education program, called "Dope Stop," utilized volunteer high school teen counselors to provide effective drug abuse information to dependent students in the elementary and junior high school grades. Such programs were established in the Marine Corps School at Quantico, Va., in the Air Force schools in the Philippines, and in the Army and Air Force schools in West Germany.

**Air Force seminars.** In the Air Force, the Military Air-lift Command contracted with a local drug rehabilitation agency to obtain the services of several ex-addicts in conducting seminars at each of its installations. A pilot project setting up a travelling drug abuse indoctrination team and incorporating the use of an ex-addict as a team member was completed.

**Other programs.** In addition to these imaginative approaches to combating drug abuse, additional programs and actions were ordered into effect. Although many of these programs were implemented in early FY 1972, they were a direct result of increased awareness of the problem in late FY 1971.

## Identification and Treatment

A Secretary of Defense memorandum of June 17, 1971, to the Secretaries of the Military Departments and the Chairman, Joint Chiefs of Staff, directed the service Secretaries to put immediately into operation plans designed to meet the problem of heroin use among members of the Armed Forces in Vietnam.

Such plans were to insure that:

(1) Within 7 days after June 17, 1971, identification was commenced of those servicemen departing Vietnam who were drug abusers;

(2) Service members so identified were to undergo 5 to 7 days of detoxification in country prior to return to the United States;

(3) Service members whose terms of service were expiring and who needed and desired treatment would be provided an opportunity for 30 days of treatment in military facilities in the United States, if Veterans Administration and civilian programs were not available; and

(4) Service members with time remaining in service would, insofar as possible, be treated in military programs in the United States and afforded the opportunity for rehabilitation.

**Other treatment and studies.** Further, when extensive treatment was indicated, personnel were to be phased into the Veterans Administration programs, as such became available.

In addition, the services were to develop and implement plans to identify and treat all members in Southeast Asia at least 60 days before the date of their return to the United States. The plans were to be expanded to include all service members in Southeast Asia and later worldwide who were dependent on drugs.

Studies were to be made to obtain realistic estimates of the extent of drug use in the Armed Forces.

**Exemption policy.** Under the policy, evidence developed by or as a direct or indirect result of urinalyses administered for the purpose of identifying drug users may not be used in any disciplinary action under the Uniform Code of Military Justice (UCMJ) or as a basis for supporting, in whole or in part, an administrative discharge under other than honorable conditions.

Similarly, a military member may not be subject to disciplinary action under the UCMJ or to administrative action leading to a discharge under other than honorable conditions for drug use solely because he has volunteered for treatment under the Drug Identification and Treatment Program of the Department of Defense.

**Exceptions to policy.** The policy does not exempt military members from disciplinary or other legal consequences resulting from violations of other applicable laws and regulations, including those laws and regulations relating to the sale of drugs or the possession of significant quantities of drugs for sale to others, if the disciplinary action is supported by evidence not attributed to a urinalysis administered for identification of drug abusers and not attributable solely to their volunteering for treatment under the Drug Identification and Treatment Program of the Department of Defense.

## Review of Discharges

A Secretary of Defense memorandum of August 13, 1971, to the Secretaries of the Military Departments and the Chairman, Joint Chiefs of Staff, dealt with administrative discharges issued under other than honorable conditions and issued solely on the basis of personal use of drugs or possession of drugs for the purpose of such use. It directed that upon application from former service members, such discharges be reviewed for recharacterization to another category of discharge; for example, from "undesirable" to "honorable."

Each Secretary of a Military Department was authorized to issue a discharge under honorable conditions upon establishment of facts consistent with this policy.

## New Office Established

A Secretary of Defense memorandum of August 26, 1971, transferred the Department of Defense Drug and Alcohol Abuse Control Programs on September 1, 1971, from the Assistant Secretary of Defense (Manpower and Reserve Affairs) to the Assistant Secretary of Defense (Health and Environment).

Recognizing that the problems of drug and alcohol abuse are essentially medical problems, the change was made to place the responsibility with the appropriate Assistant Secretary. The manpower policy and disciplinary

be the responsibility of the Assistant Secretary of Defense (Manpower and Reserve Affairs).

To carry out the functions and responsibilities of the Drug and Alcohol Abuse Control Programs a new office of the Deputy Assistant Secretary of Defense (Drug and Alcohol Abuse) was established, and on September 21, 1971, the new Deputy Assistant Secretary took office.

**Committee formed.** A Secretary of Defense memorandum of October 15, 1971, to the Secretaries of the Military Departments established a committee under the chairmanship of the Deputy Assistant Secretary of Defense (Drug and Alcohol Abuse) to determine (1) assignment of responsibilities for joint drug abuse testing; and (2) other joint projects that would contribute to effectiveness of the drug abuse control program.

As a result of this committee's work, a worldwide urinalysis screening program was developed and a directive ordering implementation was issued.

## Explosive Ordnance Disposal Training and Support

The Department of Defense, in response to a growing number of bomb threats in the United States, is extensively committed to assisting civil authorities with bomb disposal problems.

Explosive ordnance disposal (EOD) assistance may be provided when requested by civil authorities if such assistance is required in the interest of public safety. In addition to actual bomb disposal, EOD personnel provide assistance to law enforcement agencies in developing a capability to deal with the improvised explosive devices threat.

Explosive ordnance disposal support of Federal and civil authorities is based upon the Economy Act of 1932 (31 U.S.C. 686); Public Law 90-331 (18 U.S.C. 3036); and policies favoring assistance in the interest of public safety or community relations.

**Mission.** The mission of the Department of Defense in this regard is defined in Department of Defense Directive 3025.13, Employment of Department of Defense Resources in Support of the United States Secret Service. Army Regulations 1-4, Employment of Department of the Army Resources in Support of the United States Secret Service, and 75-15, Explosives—Responsibilities and Procedures for Explosive Ordnance Disposal, provide for the capability to neutralize the hazards existing in explosive ordnance which, because of unusual circum-



Explosive ordnance disposal training session, conducted by U.S. Army personnel.

stances, present a possible threat to operations, installations, or materiel.

These operations are carried out in accordance with the Posse Comitatus Act (18 U.S.C. 1385). In other words, Army personnel will not participate in bomb search operations, investigations, or in any way assist in the enforcement of criminal or civil law. Assistance by Army explosive ordnance disposal personnel is exclusively technical and in the interest of public safety.

In general, the Army explosive ordnance disposal program is charged with the mission area of all land masses above the high water line excluding Air Force, Navy, and Marine Corps installations, but including areas under control of U.S. and local civil authorities when requested. This responsibility includes, in addition to conventional and improvised explosive ordnance, chemical, biological, and nuclear munitions.

The Army provides:

of Federal or civil authorities if it is in the interest of public safety or community relations; and

- ☐ Assistance to public safety and law enforcement agencies in developing a capability to deal with improvised explosive devices.

## Background

Explosive ordnance disposal (EOD) units trace their beginnings to the bomb disposal squads organized during World War II. Their initial mission was to render safe and to dispose of dud and long-delay fused bombs at home and in combat theaters.

Since their inception, the responsibilities of the explosive ordnance disposal teams have multiplied. Their expertise extends to all types of standard, nonstandard, and improvised explosive devices.

The Army's explosive ordnance disposal service support missions to the United States Secret Service for the protection of the President and Vice President began with the 67th Ordnance Detachment (Explosive Ordnance Disposal), Fort Lesley J. McNair, Washington, D.C., on March 25, 1958. It was formalized in Army regulations in the early 1960's and the Army was designated as Department of Defense primary point of contact for the Secret Service for all explosive ordnance disposal support for Presidential protection. Public Law 90-331 extended the mission to include all Secret Service protection mission requirements.

**Bomb Data Center.** In July 1970, the National Bomb Data Center was established under contract to the Law Enforcement Assistance Administration (LEAA), Department of Justice. Reports received by the Center indicated that 1,842 improvised explosive devices were employed in the United States during the period July 1, 1970, to May 31, 1971, injuring 155 persons, killing 15, and causing more than \$9 million in damage. Most of these devices were of commercial origin. Military explosives and incendiaries were identified as involved in only 84 devices, less than 5 percent.

In executing the mission to assist Federal and civil agencies, explosive ordnance disposal teams during FY 1971:

- ☐ Responded to 4,811 bomb incidents not on Department of Defense installations;
- ☐ Received 1,189 requests for bomb scare assistance of which 350 involved homemade bombs;
- ☐ Presented 453 bomb scare management classes to several thousand participants; and
- ☐ Conducted the Explosive and Sabotage Device Course, a 4-hour course on improvised explosive devices, recognition, evacuation, and other preliminary non-technical actions, for additional thousands of public safety officials and civilians.

**Civilian training.** Under a Department of Justice contract, the Army undertook the training of civilian public safety personnel as improvised explosive device disposal technicians on January 18, 1971, at Redstone Arsenal,

Ala. The training is being conducted by the U.S. Army Missile and Munitions Center and School. Total cost of the course is borne by the Department of Justice. Initially, this course was established for 200 students annually; however, it is presently being expanded to accept 400 students annually.

As of June 30, 1971, after 6 months of operation, 107 individuals were trained at the U.S. Army Missile and Munitions Center and School, Hazardous Device Course. The cost of this training in the handling of improvised explosive devices was \$165,850, or approximately \$1,550 per student. All funds expended by the Department of the Army for this course are reimbursed by LEAA.

Other explosive ordnance disposal assistance provided in FY 1971 included the instruction of 104,898 civilian personnel in various local classes throughout the Nation. It is estimated that approximately \$320,400, not reimbursable, was spent in support of this program.

There are no cost data available as to the amount expended by the Department of the Army in responding to the 6,000 EOD civil support missions during FY 1971. The cost of this civil support is reimbursable when it can be identified.

## Safeguarding Vital Industry

The Department of Defense assists in the protection of certain industries and utilities considered vital to the national defense from a direct military support standpoint. This highly selective program is designed to safeguard 3,500 facilities and 250 company or system headquarters from bombings, sabotage, arson, civil disturbances, and other hostile or destructive acts, by means of physical security and emergency preparedness measures. Department of Defense assistance is advisory in nature and may be accepted or rejected by industry management.

**Activities.** To achieve this mission, an annual industrial defense survey is made of each facility. The survey assesses vulnerability, existing and planned physical security, and emergency preparedness, and provides the basis for guidance. On the basis of the survey, recommendations are made to management to strengthen the industrial defense posture of each facility to minimize damage from hostile or destructive acts, and provide for rapid restoration of operations in the event of damage.

**Authority.** The Industrial Defense Program evolved from the Internal Security Act of 1950, as amended (64 Stat. 992; 50 U.S.C. 784(b)), as implemented by Executive

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Department of Defense assistance to the District of Columbia has included training of police helicopter pilots.

mately 2 million pounds of munitions were detonated. German agents on an island in New York harbor. In that incident four persons died and approximately \$1 million of property was destroyed.

The Nation again became concerned with the problem of internal security during the mobilization phase of World War II. Activity was stimulated when a German submarine landed eight Nazi saboteurs on the East Coast.



facilities where production was considered essential to the war effort.

From the perspective of time, it was recognized that there was perhaps an over-commitment and that a more selective evaluation of facilities would have decreased the number of facilities and the personnel and resources required to protect them.

Upon establishment of the Department of Defense in 1947 and continuing until the Korean War, studies were undertaken and plans and programs developed to accomplish internal security objectives in the event of war. The major consideration was to prevent a drain on national manpower resources in another national defense emergency and, through prior planning, to match resources to requirements in a more realistic manner.

In 1949, the Secretary of Defense, by virtue of authority vested in him by the National Defense Act of 1947, issued a memorandum to the Secretaries of the Military Departments directing them to take necessary steps to provide for security of facilities vital to the defense of the country and to military production programs. On recommendation of the National Security Council, the Department of Defense established a list of such facilities.

**Industrial defense.** The Industrial Defense Program, formally established in 1952, was initially administered within the Office of the Assistant Secretary of Defense for Manpower. In 1954, the Industrial Defense Program, in recognition of its importance in logistics, was transferred to the Assistant Secretary of Defense for Installations and Logistics. In 1965, the Secretary of Defense designated the Secretary of the Army as the Executive Agent for the Department of Defense Industrial Defense function. Within the Department of the Army staff, the Deputy Chief of Staff for Logistics has general staff supervision for the total program and the Provost Marshal General has special staff responsibility.

The conduct of industrial defense surveys by Continental Army Command, Army Materiel Command, and Chief of Engineers is accomplished by full-time industrial defense survey officers and clerical personnel. This total consists of four military police officers, 29 civilian survey officers, and 17 clerical personnel. The total managerial and supervisory staff, including Department of the Army staff, consists of one military police officer, seven civilian staff members, and four clerical personnel.

During 1970, an expenditure of \$545,000 was made for the actual conduct and clerical processing of approximately 3,500 industrial defense surveys.

For FY 1971, there was an expenditure of \$625,000.

**Program expanded.** In view of the continuing civil unrest, bombings, and other threats to and disruption of law enforcement activities, fire services, Government, and industry, the Provost Marshal General has expanded the industrial defense program. This extended service and assistance is provided through continued participation, upon request, in industrial defense seminars and con-

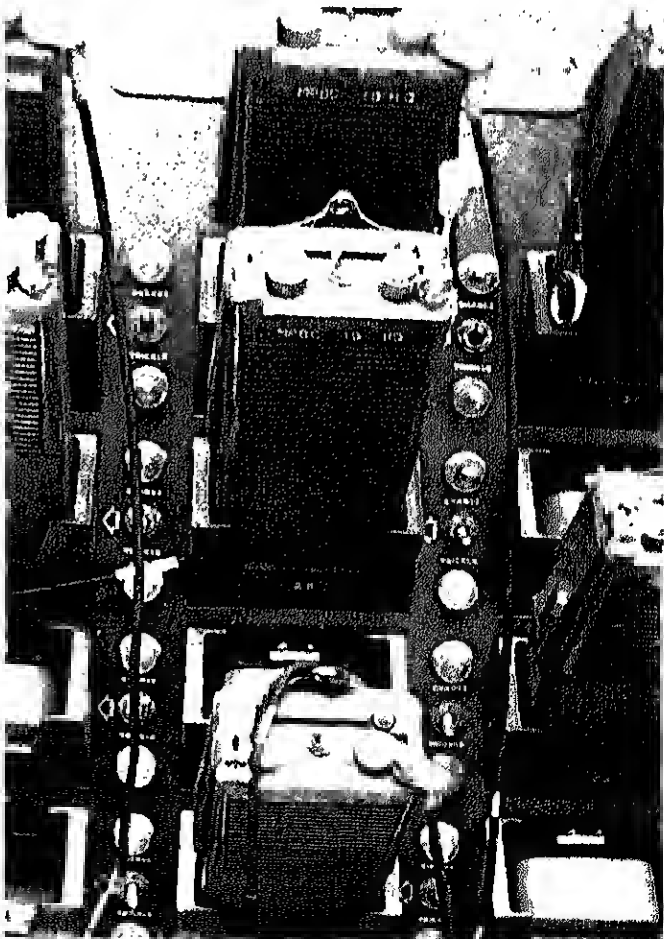
Small transceiver radios for police use have been developed by the Department of Defense.

A 5-day course of instruction, "Industrial Defense and Disaster Planning for Privately Owned and Privately Operated Facilities Course," is conducted at the United States Army Military Police School. The course consists of eight classes per year. It is designed to train and further assist industrial management, public safety officials, and Government personnel in developing security plans and emergency measures to minimize damage from bombings, arson, sabotage, civil disturbances, and other hostile or disruptive acts.

## Anticrime Assistance to District of Columbia

Under a program established by the President in March 1970, the Department of Defense provides certain types of assistance to the District of Columbia anticrime campaign.

**Authority.** Department of Defense Directive 5030.46, Assistance to the District of Columbia Government in Combatting Crime, sets out uniform policies, assigns responsibilities, and furnishes general guidance. The Secretary of the Army is designated the Department of Defense Executive Agent. The program is carried out under the constraints imposed by the Posse Comitatus Act (18 U.S.C. 1385), prohibiting use of military forces except as expressly authorized by Congress or the Constitution.



gram. In May 1970, the Director of Military Support was officially assigned Department of Army Staff responsibility for all actions pertaining to the planning for and employment of military resources under this assistance program.

Consistent with defense priorities, the Secretaries of the Air Force and Navy (including the resources of the Marine Corps) and the Directors of Defense Agencies, except the Defense Nuclear Agency, are responsible for providing the military resources required. Defense Agencies are also responsible for providing advice and assistance on matters within their sphere of responsibility.

**Resources.** Defense military resources include: military and civilian technicians to perform non-law enforcement functions; use by District law enforcement personnel of military training facilities, such as classrooms, rifle ranges, and pistol ranges; and loan and use of military equipment and supplies.

**Approval.** The Under Secretary of the Army must approve each request received from the District government. Requests are forwarded to the Director of Military Support where an analysis of the availability of resources and a recommendation are made and forwarded to the Under Secretary of the Army for approval. All assistance provided under this program is on an out-of-pocket (referred to as incremental costs) reimbursable basis.

**Requests.** During the period March 1970 to June 1971, six requests for assistance were received, processed, and approved. These requests included training assistance, loans of equipment, technical assistance, and the use of facilities.

On May 27, 1970, a request was received for assistance in the installation of new crystals and the retuning of 200 portable radios for the Metropolitan Police Department. The Army provided five enlisted radio technicians to accomplish this mission, for which full reimbursement was received. Installation was completed on August 7, 1970, at a cost of \$9,095.22.

Police Department on June 3, 1970, requested the installation of a two-way radio with antenna and control unit. Reimbursement in the amount of \$1,100.00 was received. Installation was completed on December 4, 1970.

On July 15, 1970, the Army was asked to provide the training necessary to qualify selected Metropolitan Police Department personnel as helicopter pilots. The Metropolitan Police Department formally agreed to reimburse the Department of Defense for all incremental costs incidental to this training. Ten candidates began training on November 9, 1970, at the Army Primary Helicopter School, Fort Wolters, Tex., and nine graduated on April 9, 1971. Final costs have been computed at \$91,323.21.

On December 7, 1970, the Metropolitan Police Department requested the temporary use of an operational helicopter facility at the Anacostia Naval Air Station to accommodate three leased helicopters. The Navy licensed



Washington, D.C., police helicopter is refueled.

the facility to the Metropolitan Police Department for a 1-year period. The negligible costs are reimbursable.

On April 27, 1971, the Department of the Army received and processed a Metropolitan Police Department request for the loan of helicopters. The request included proficiency flying for nine qualified police officers and the temporary loan of two light helicopters for command and control, and reconnaissance during the May 1971 demonstration in the District of Columbia. The officers received proficiency flying during May and June 1971. Further, two light helicopters were loaned to the Metropolitan Police Department from April 29 through May 10, 1971. This request was terminated on June 15, 1971. Reimbursable cost is estimated at approximately \$3,000.

Since the initiation of this program of assistance to the District of Columbia government, only two requests for assistance have not been filled. Both requests were later withdrawn by the Metropolitan Police Department. The first, submitted on April 17, 1970, requested the Department of Defense to provide the Metropolitan Police Department with four Army helicopters and associated maintenance support and 10 Marine pilots. This request was withdrawn by the Metropolitan Police Department because of the relatively high cost, which was estimated at \$423,000 for the first year.

Subsequently, the Metropolitan Police Department made arrangements to acquire helicopters and maintenance support on a commercial basis and to operate them with their own personnel. While Department of Defense



might not be necessary. Delivery was made on schedule. As of June 30, 1971, \$132,560.33, all reimbursable, has been expended by the Department of Defense in support of this program.

## Anti-Ballistic Missile Site Impact Aid

In communities where the costs of providing adequate law enforcement are increased as a direct result of SAFEGUARD missile deployment, the Department of Defense may provide assistance. Community impact funds associated with the SAFEGUARD system program have been included in the Army Anti-Ballistic Missile (ABM) Site Program for the purpose of assisting communities located in the site areas in North Dakota and Montana when an excessive financial burden has been placed on them. As provided in the Treaty on the Limitation of Anti-Ballistic Missile Systems signed May 26, 1972, in Moscow by President Nixon and General Secretary Brezhnev of the Soviet Union, construction on the Montana ABM site was suspended. The effect was to reduce the amount of impact funds required in this area; however, all previously funded projects were continued. No additional funds were budgeted for FY 1973. It was felt that funds remaining from FY 1971 and FY 1972 budgets would be sufficient to complete the North Dakota project as well as the remainder of the Montana requirement.

**Authority.** Section 610 of P.L. 91-511 (FY 1971 Military Construction Authorization Act) authorized the Secretary of Defense to provide assistance to communities impacted by SAFEGUARD missile deployment in North Dakota and Montana. This assistance was to be provided through the administrative machinery and procedures of existing Federal assistance programs. To finance this authorization, \$11.8 million was made available.

The authority of the Secretary of Defense was delegated to the Secretary of the Army by memorandum of November 23, 1970. This authority was redelegated to the SAFEGUARD System Manager.

The SAFEGUARD staff then held a series of conferences with various Federal agencies engaged in ongoing Federal assistance programs for educational facilities, utility services, health facilities, and similar public services likely to be impacted by SAFEGUARD installations. The purpose of these meetings was to develop a unified and standard procedure for the receipt, evaluation, and processing of community applications for assistance under this authorization.

**Assistance program.** The Community Impact Assistance Program is intended to supplement funds made available under existing Federal programs. Use of SAFEGUARD

to determine the correct amount of impact funds to be provided, as authorized by the appropriate statutes.

Community impact funds associated with the SAFEGUARD System Program have been included in the Department of the Army ABM site program for the purpose of assisting municipalities located in the site impact area in improving local law enforcement capability and other related community projects. Two requests from the following States were received: North Dakota, \$75,839; and Montana, \$85,000. Funds requested under the impact assistance program are not reimbursable.

Information from administering Federal departments or agencies indicates a large number of additional impact requests are anticipated.

## Police Transceiver Radio Program

The Air Force is participating, as procurement and contracting agency, in a project to develop a small, personal transceiver radio for use by military and civilian law enforcement personnel as a primary means of communications. The project is a joint effort with the National Institute of Law Enforcement and Criminal Justice, which is part of the Law Enforcement Assistance Administration (LEAA).

**Specifications.** Specifications call for a solid state, four-channel, battery operated, frequency modulation transceiver capable of providing two-way voice communications and designed to be worn as part of the police officer's uniform during normal duties.

Specifications were based in part on results of a questionnaire circulated to police departments in the 870 largest cities in the United States.

The Air Force negotiated contracts for the development of a personal portable transceiver under 10 U.S.C. 2304(a)(11) which provides an exception to the general rule requiring competitive bids when the property or services desired are in a developmental stage.

The initial procurement action, pertaining to Phase I only, calls for the delivery to the Air Force of six prototype very high frequency and ultra high frequency transceivers and two to six modified prototype very high frequency transceivers, together with a data package.

Phase II calls for a production model design and full production. To avoid the possibility of establishing a sole-source situation for municipal purchasing agents, Phase II contracts will be awarded to two or more qualified contractors. Contracts for Phase I were awarded in May 1971. Prototype equipment was expected to become available in May 1972.

Funds initially allocated for this project were \$300,000 for the Air Force and \$1,500,000 for LEAA. Total funds





Two-way radio, Atlanta, Ga.

obligated in FY 1971 were IEAA, \$639,815, and Air Force, \$223,330.

## Interdicting Illegal Imports

Support and assistance are provided to the Bureau of Customs, Department of the Treasury, in making predeparture or preshipment customs inspection of Department of Defense personnel, mail, cargo, and carriers in overseas areas. Additional support personnel are now being provided on a priority basis at U.S. ports of entry to interdict the flow of contraband, including drugs, into the country from Southeast Asia through military channels. Surveillance aircraft, detection systems, and sensors along with the necessary support of this equipment are being provided to help the Bureau of Customs detect and track aircraft and ground movement of personnel and equipment engaged in smuggling operations.

Pursuant to the provisions of 19 U.S.C. 1401(i) and by mutual agreement between the Department of Defense and the Department of the Treasury, the Commissioner of Customs designates military personnel to serve as Customs Inspectors (Excepted) without additional compensation. Such personnel are authorized to perform the normal duties of a customs inspector.

**Background.** Historically, the Bureau of Customs has depended upon the efficiency and integrity of the military departments to perform predeparture or preshipment customs inspection, with only spot checks by the Bureau of Customs to enforce the revenue and contraband laws of the United States. Mutually developed policies and

tary aircraft) which operates in overseas areas and returns to its home base or to a port of arrival other than a normal customs port of entry.

It is established Department of Defense policy to cooperate with all investigative agencies and to provide criminal investigative personnel support to investigations of violations of regulations of the Bureau of Customs and of the United States Postal Service (USPS) when jurisdiction is relinquished to military authorities by Bureau of Customs or USPS officials. Bureau of Customs procedures provide that the military services will be notified when contraband, prohibited items and Federal Government property have been seized or are in Bureau of Customs custody under questionable circumstances, in order to ascertain, through appropriate military channels, if theft or violation of import requirements is involved. Upon receipt of this advice from the Bureau of Customs a criminal investigation is initiated.

**Criminal investigations.** Military criminal investigators conduct investigations of offenses involving contraband, weapons, explosives, ammunition, items of Federal Government property valued in excess of \$50.00, and property of a value less than \$50.00 if the property is sensitive in nature. Military policemen investigate incidents involving small quantities of small arms ammunition, organizational clothing (except where the value exceeds \$50.00) and items of Federal Government property, except sensitive items, valued at \$50.00 or less. Criminal investigation units located nearest to the facility where packages dispatched by service personnel receive customs inspection, maintain liaison with Bureau of Customs and USPS representatives, and initiate criminal investigations when required.

**War trophies.** In addition, the military services have traditionally established the policy and requirements for possession and retention of war trophies and war trophies, and have controlled and enforced the introduction of such items into the United States. Prior to and subsequent to the enactment of the Gun Control Act of 1968, policies and procedures for entry into the United States of firearms by Department of Defense personnel were mutually developed and enforced by the Department of Defense and the Department of the Treasury.

**Drug study.** In April 1971, a congressional study mission from the House of Representatives Committee on Foreign Affairs visited Southeast Asia to review the drug problem. The study mission determined that 98 percent pure heroin was easily available in Southeast Asia. As a result of the visit, the Commissioner of Customs initiated an intensified inspection program to reduce the entry of drugs and other contraband items into the United States through military channels.

On May 3, 1971, instructions were issued to Regional Commissioners of Customs to implement intensified inspection of all Department of Defense personnel, their personal property, mail, Department of Defense-sponsored cargo, ships, and aircraft (including

permanently only spot checks at the Continental United States.

The military services were concerned about increasing services with no additional funds, and about causing delay and hardships to Department of Defense personnel. Consequently, the Department of Defense asked that the intensified inspection program be made a matter of discussion at the May 14, 1971, meeting of the Interdepartmental Action Task Group (Vietnam). Representatives from the Bureau of Customs, United States Postal Service, Department of State, and the military services recommended that committees be established to study the problem.

Because of the magnitude of the problem, three subcommittees, composed of military and Bureau of Customs representatives, were established to study the problem and provide recommended solutions to the Interdepartmental Action Task Group (Vietnam).

**Department support.** On June 9, 1971, the Department of Defense announced support of the intensified customs inspection program. The Army, in coordination with the Navy and Air Force, was designated as the office of primary responsibility for solving customs problems within the Department of Defense, and was directed to prepare a coordinated action plan. Subsequently, the Army was designated as the Executive Agent for customs matters in the Department of Defense.

No additional resources were made available to the Department of Defense for the accomplishment of the customs mission during FY 1971. Required resources were provided from normal mission funds within authorized command personnel strength. Substantive additional manpower support (215 Acting Customs Inspectors (Excepted); 104 personnel at U.S. ports of entry) is now being provided the Bureau of Customs to assist in the program to interdict the flow of contraband into the United States from Southeast Asia.

**Coordination.** The Department of Defense has taken prompt aggressive action in close coordination with the Bureau of Customs in planning and implementing its programs for crime prevention, law enforcement, and control since initiation of the intensified inspection program. The combined efforts achieved significant results in FY 1971. Military criminal investigative customs operations on the West Coast recovered \$60,329 worth of Federal Government property, and confiscated 53 illegal weapons. Since April 1971, 33 seizures of contraband (liquor and war trophies) were referred to the military for investigation and action.

**Gun control.** To assure that military personnel complied with the provisions of the Gun Control Act, continuous enforcement, education, and public information programs were conducted with special emphasis on the sale of prohibited firearms to military personnel through rod and gun clubs located in overseas areas.

**Illegal use of mails.** The Department of Defense also has implemented an aggressive program of inspection to re-

duce the number of narcotics and other controlled substances detected in military mail from Vietnam and Thailand. Additionally, the number of heroin seizures in the military mail from Vietnam and Thailand declined from a high of 23 in May to only four in August 1971.

Present procedures to eliminate movement of contraband in personal mail include a requirement for complete identification in return address and verification against that shown on the individual's identification card. Mailers are required to sign package wrappers at the time of mailing. Mine detectors are in use to examine suspect parcels for metal contraband.

Parcels suspected of containing contraband are initially inspected by military postal authorities and those containing contraband are immediately reported to appropriate military investigative agencies. First-class mail suspected of containing narcotics or other contraband is forwarded by separate cover to specific agencies of the Bureau of Customs for examination. All voice tapes and film mailers are routed for fluoroscopic examination by the Bureau of Customs upon entry into the United States. Marijuana detection dogs are used in all aerial mail terminals in Southeast Asia. Thirty-seven additional improved fluoroscope units were purchased for worldwide usage in aerial mail terminals and selected military post offices.

The Department of Defense sent to the Department of State, United States Information Service, Agency for International Development, Veterans Administration, and the Central Intelligence Agency letters requesting their assistance in the mail inspection program by insuring their mail is free of narcotics and other contraband before entry into the military postal system.

A predeparture customs label is currently under development by the Department of Defense. When adopted, it will provide information as to whether cargo and personal property entering the United States through military channels has been tampered with after preinspection in overseas areas.

**Training program.** In addition, an extensive training program is in process to train military personnel in customs search procedures and drug identification methods. These personnel will assist in the customs clearance of personnel, mail, personal property, cargo, ships, and aircraft. The Department of Defense has established the mechanisms required to support Bureau of Customs requests for technical assets, including surveillance aircraft, detection systems, sensors, and equipment to increase the capability of the Bureau of Customs to detect and track aircraft and ground movement of personnel and equipment engaged in smuggling operations.

Approximately \$5,837,534 of identifiable funds were expended by the Department of Defense in 1971 to support the military customs inspection program.

During FY 1969 and FY 1970, support in similar activities was provided. For those years, identifiable expenditure data are not available.

March 1964



Law enforcement functions of the Department of the Interior stretch from islands in the South Pacific to tourist-filled grounds in the District of Columbia.

Crimes committed anywhere on the half billion acres of Federal lands administered by the Department fall within the investigative jurisdiction of one or more of its agencies.

U.S. Park Rangers, U.S. Park Police, game management agents of the U.S. Fish and Wildlife Service, Bureau of Indian Affairs officials, and Indian tribal police carry out the far-flung law enforcement functions of the Department.

With the growing popularity of national parks among Americans, the number of visitors—and the proportionate number of crimes—have risen in recent years.

In recent years, there also has been a growing recognition of the need for upgraded and locally involved law enforcement and criminal justice on Indian reservations and other such areas administered by the Department.

The magnitude and seriousness of criminal acts which can occur in the Federal areas under its jurisdiction are comparable to that of crime anywhere in the United States. Thus, there is a continuing need to train and equip agents of the Department of the Interior to deal with the wide variety of major crimes which occur.

## Scope of Activities

With administrative authority over 533 million acres of Federal land, the Department of the Interior is responsible for preserving national park land; developing and conserving fish and wildlife resources; administering the trust relationship between Indian reservations and the Federal Government; aiding the development of the territories of the United States and the Trust Territory of the Pacific Islands; and overseeing activities in a number of other areas such as recreation, irrigation, mines, and hydroelectric power.

The Department was created by the Act of March 3, 1849 (9 Stat. 395; 45 U.S.C. 1451).

Outlays by the Department of the Interior for the reduction of crime have increased steadily in recent years, as indicated by the following data.

FY 1970	\$17,198,000
FY 1971 (estimated)	18,630,000
FY 1972 (estimated)	21,222,000

Expenditures for crime reduction increased by about 15 percent from FY 1970 to FY 1971 and are expected to increase by about 10 percent between FY 1971 and FY 1972.

Because of the need to address law enforcement problems more effectively, a Division of Records and Protective Services was initiated within the Department of the Interior in July 1971, to monitor the Department's law enforcement programs.

Programs which involve a law enforcement mission are carried out by four elements of the Department of the Interior: the National Park Service, the Bureau of Sport Fisheries and Wildlife, the Bureau of Indian Affairs, and the Office of the Deputy Assistant Secretary for Territorial Affairs.

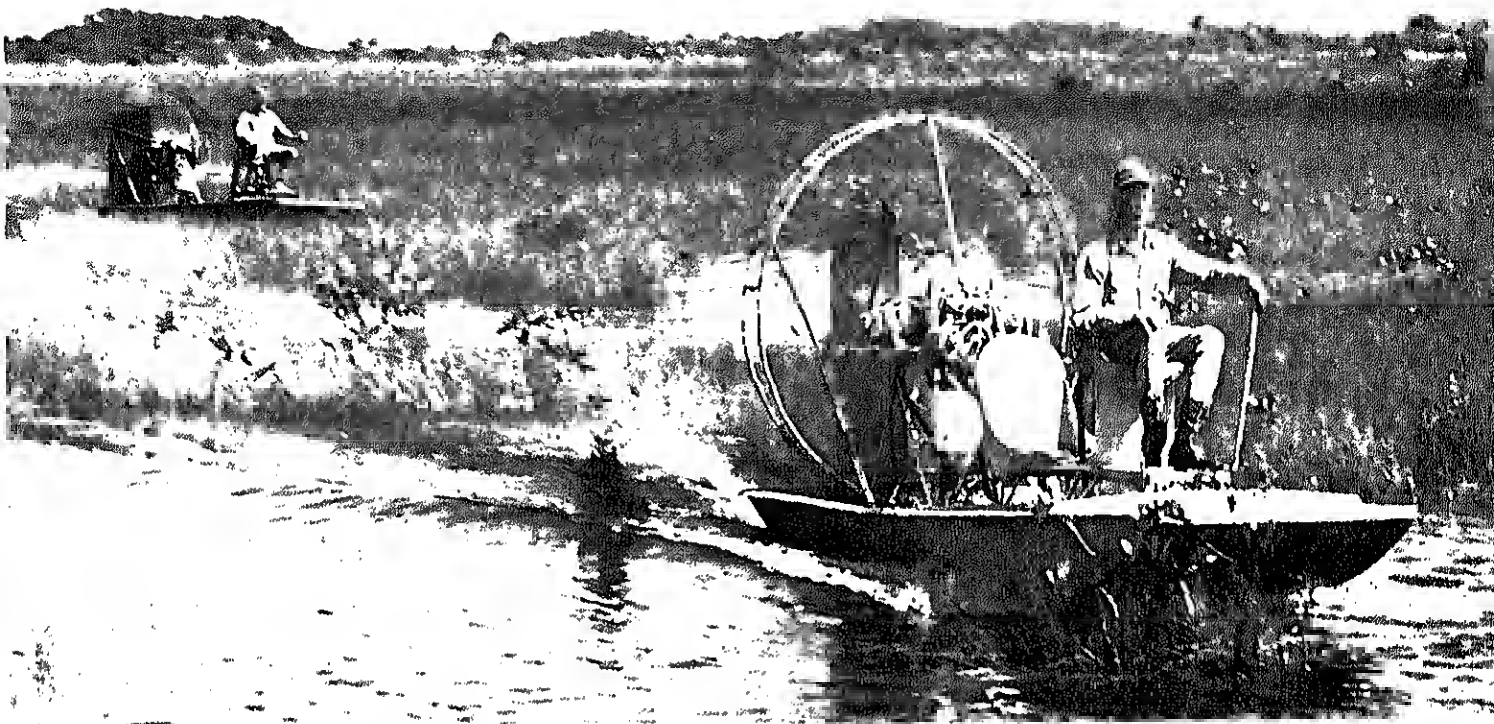
**National Park Service.** The rules and regulations pertaining to national parks are enforced by Park Rangers and, in the District of Columbia, U.S. Park Police. Their enforcement activities typically address poaching, illegal dumping and timber cutting, and unlawful fires.

U.S. Park Police are also empowered with the same authority as the District of Columbia Metropolitan Police Department and have additional responsibilities in providing protection for the President and visiting foreign dignitaries.

The steadily increasing number of visitors to national parks in recent years has resulted in a proportionately greater increase in major crimes, such as criminal homicide, rape, robbery, and assault. Thus, the enforcement and investigation responsibilities of Park Rangers and Park Police have extended well beyond park rules and regulations to serious crimes which are usually associated with urban areas. The Park Service is addressing this problem through increased law enforcement training for Park Service personnel and new staffing patterns which allow the Park Service to cope more directly with law enforcement requirements.

**Bureau of Indian Affairs.** While the Bureau of Indian Affairs (BIA) has administrative responsibility for law enforcement on all Indian reservations, the enforcement function varies somewhat depending on the capabilities of the reservation. Federal and tribal laws may be administered by BIA officials, tribal police, State authorities, or a combination of officials.

The training of Indian police is enhanced by the Indian Police Academy, supported by BIA. BIA also operates a number of jails on Indian reservations and provides financial support for other tribal jails. Indian courts, which are responsible for dispensing criminal justice, also receive support from BIA.



**Fish and Wildlife Service.** Enforcement activities directed at preserving domestic fish and wildlife resources are carried out by U.S. Game Management Agents in the U.S. Fish and Wildlife Service. Their enforcement activities are largely related to fishing and hunting in violation of Federal law or State fish and game codes. The Department of the Interior provides these agents with specialized training in investigative and enforcement techniques.

Inspection of fish and wildlife imported into the United States is also the responsibility of game management agents. Agents monitor shipments at eight ports of entry, inspecting all fish and game before it is processed through the Bureau of Customs, Department of the Treasury.

**Trust Territory of the Pacific Islands.** In its responsibility for administration of the Trust Territory of the Pacific Islands, the Department of the Interior provides financial support for law enforcement programs in the trust territory.

Law enforcement and criminal justice programs are under the administration of the attorney general of the trust territory. The attorney general is charged with the prosecution of criminal cases and the operation of the

Park Rangers on patrol at Everglades National Park in southern Florida.

court system. An Insular Constabulary has responsibility for policing functions, fire prevention, and the administration of correctional facilities.

## National Park Service

The National Park Service provides law enforcement in national park lands through the work of Park Rangers and the U.S. Park Police. These personnel enforce laws and regulations relating to the National Parks and investigate violations which come to their attention.

The recent increase in serious crimes in areas under the jurisdiction of the Park Service has led to new personnel recruiting, training, and staffing patterns to more effectively exercise the law enforcement function.

It is the mission of the Park Ranger to assist the public and enforce the rules and regulations while preserving the national park atmosphere. In the District of Columbia, the U.S. Park Police perform this mission with regard to Federal park land within the District of Columbia and its environs.

Chapter 1, title 36, CFR, establishes the regulations that apply to visitors in the national parks.

Title 4, chapter 2, District of Columbia Code, establishes the authority of U.S. Park Police in Washington, D.C., as the same as that of the Metropolitan Police Department. The U.S. Park Police also are authorized to arrest within Federal reservations in the District of Columbia and its environs.

The National Park System covers 29 million acres in



Park Police on duty during a demonstration in Washington, D.C.

83 park areas, some rural, some urban, some an integral part of metropolitan areas. In recent years, areas that are primarily oriented to recreation, such as national seashores and lakeshores, were added. There are approximately 800 Park Rangers and 421 Park Policemen throughout the Park System.

In 38 national parks, jurisdiction is exclusively that of the Federal Government. In other areas, jurisdiction is partial, concurrent with the States, or proprietary. In areas with proprietary jurisdiction, the rural setting of most creates a situation in which only employees of the National Park Service are able to provide the intensive law enforcement protection required. In most instances, surrounding jurisdictions have neither the manpower nor the funds adequate to supplement or assist.

In areas of proprietary jurisdiction, Park Rangers are sometimes deputized as county deputy sheriffs to obtain authority to make arrests for violations not covered in title 36, CFR.

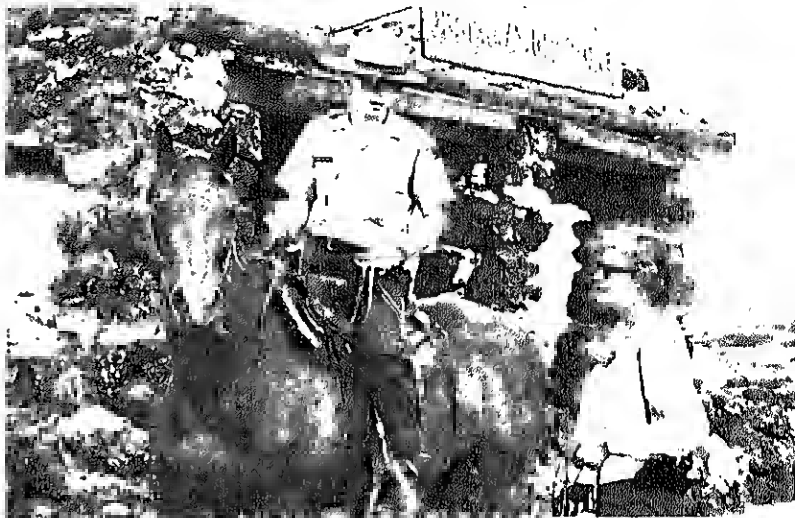
**Law enforcement activities.** Protection activities of the Park Service include campground patrols; boundary patrols against poaching and adverse use of Government property through dumping, cutting of timber, and grazing; visitor control in heavy-use areas to protect resources; accident investigation and assistance to the visitor to prevent accidents; and fire prevention.

Other duties also require a great deal of time and manpower. On 264 occasions in 1970, Park Police provided protection and escort services for the President, foreign heads of state, and their emissaries. Protest groups num-

bered posed by rapid changes in American society.

**Major crimes.** Major crimes in the National Park System are increasing rapidly. The increase in crime may be partially due to the increasing urban orientation of the National Park System, both in terms of more urban parks and increasing accessibility of rural parks to urban populations.

Narcotics vendors and users have discovered a supposed



Park Ranger assists tourist at Theodore Roosevelt National Memorial Park, Medora, N. Dak.

sanctuary in areas throughout the System. Abuse of the parks by legitimate visitors is not uncommon, and personal injury and property damage by criminal acts are increasing.

In calendar year 1970, 695 persons were arrested for major crimes. Of these, 292 adults were referred to the courts for criminal offenses. The remaining 403 were referred to the courts for civil offenses.

## Personnel

Increasing public use of parks and involvement with urban enforcement problems, however, now dictate recruitment from both the social science and police science fields. Law enforcement standards have been instituted to improve and professionalize the Service's enforcement efforts.

To provide leadership and program direction, the expertise and professional abilities of the U.S. Park Police are utilized. A cadre of 40 U.S. Park Policemen is maintained in Washington, D.C., for immediate dispatch nationwide to assist Rangers in the national parks.

To cope with problems attendant on preserving the peace, the Park Service created a Division of Law Enforcement, responsible for developing standards, inspecting, staffing and training, and executing the Service's law enforcement program.





Park Police officer in Washington, D.C., assists at the scene of a traffic accident.

Law enforcement positions have been established at regional offices to assist the Regional Directors and field Superintendents. These positions are staffed by experienced Park Police officers, who provide liaison with co-operating law enforcement agencies in the region and inspect all aspects of this program.

At each large national park, Park Police officers are assigned to assist area Superintendents in organizing and training Park Rangers and executing the law enforcement function. A stepped-up program of law enforcement training has been instituted wherein all new Park Rangers and U.S. Park Policemen now attend a basic law enforcement training program that is the forerunner of courses to be offered at the Consolidated Federal Law Enforcement Training Center of the Department of the Treasury.

The current training program is conducted by the National Park Service Division of Training in the District of Columbia, and a total of 97 Park Rangers and 79 Park Policemen have graduated to date.

Expenditures by the National Park Service for law enforcement over the past 3 years were as follows:

FY 1969.....	\$5,696,000
FY 1970.....	7,075,000
FY 1971.....	10,350,000

Target practice at Park Police training session.







Navajo Tribal Police officer.

## Bureau of Indian Affairs

Officials of the Bureau of Indian Affairs (BIA) work cooperatively with tribal authorities in their efforts to enforce law on Indian reservations.

In some cases, all enforcement programs on a reservation may be operated by tribal police, with financial and technical assistance from BIA; in others, BIA assumes the law enforcement responsibility or combines the work of the officials with that of tribal police.

BIA also provides training for Indian police officers and funding for tribal corrections and courts programs.

**Background.** Responsibility for the Bureau of Indian Affairs, created in 1824, was transferred to the Department of the Interior at the time of its establishment in 1849. The Snyder Act of 1921 (25 U.S.C. 13) provided authority for appropriations for BIA activities, and this authority was broadened in scope and character by the Indian Reorganization Act of 1934 (25 U.S.C. 461 et



Indian Police Academy, Roswell, N. Mex.

BIA law enforcement activities began in 1878, when responsibility for law enforcement on Indian reservations was transferred from the U.S. Army to BIA. Under Section 2140, U.S. Revised Statutes, Congress provided funds "to enable the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, to take action to suppress the traffic of intoxicating liquors among Indians . . . ." Congress authorized the appointment of a Special Agent (Special Officer) to control traffic of liquor and, in subsequent laws, expanded his duties to include the enforcement of all Federal laws on Indian reservations.

After the enactment of the Indian Reorganization Act of 1934, law enforcement on Indian reservations has gradually moved towards a partnership arrangement between the Bureau of Indian Affairs and the tribal governments.

**Tribal police.** Today, many tribes fund their own tribal police departments to enforce tribal law. These police work independently of, but cooperatively with, BIA officers and State and local agencies which enforce Federal, State, and local law.

Some reservations are under State jurisdiction for the enforcement of criminal laws, and police activities are administered in the same manner as elsewhere in the State. On reservations where State laws do not apply, Federal laws and tribal laws are administered by BIA officers or tribal police, or by a combination of both. BIA officers provide technical assistance and training for tribal police but exercise no legal authority over them. Tribal police remain responsible to the tribal council.

In turn, Indian police are occasionally called upon to assist non-Indian police in matters such as roadblocks

sion of narcotic and alien traffic across the border and through Indian reservations.

**Contracts.** Recently, the Bureau of Indian Affairs initiated a policy of contracting with tribes for the operation of their own enforcement programs. Under a contractual arrangement, BIA furnishes funds and the tribes take responsibility for administration and operation of the reservation police.

When a contract is let to a tribe, it is with the understanding that the tribe agrees to take over some function of law enforcement (i.e., jails) or the entire operation and agrees that it will be run according to specifications established by BIA. If the program is not run according to BIA specifications, it reverts to BIA control. Forty-three tribes (almost 50 percent of all tribes) have been contracted with under this arrangement. Reciprocal contracts between tribes and local governments for jail space are also common.

**Police training.** To enhance tribal law enforcement, BIA established a training academy for Indian police at Roswell, N. Mex., in 1969. Indians selected by their tribes for law enforcement duty attend the Indian Police Academy for basic training in investigative and enforcement activities. The Academy also is open on a space available basis to non-Indian police from surrounding local governments.

Since the opening of the Indian Police Academy, 425



Tribal courtroom of the Rosebud Sioux Tribe, Rosebud, S. Dak.

trainees have enrolled and 395 have graduated. The 30 who did not graduate were dropped because of inability to compete successfully in the program or for misconduct. Eighteen of the graduates have come from non-Indian law enforcement agencies, such as city police and county sheriffs' offices.

Historically, BIA criminal justice activities have reflected top-heavy involvement in the area of enforcement. The recent emphasis, however, is on improving prevention, rehabilitation, and judicial programs.

**Alcoholism.** A number of prevention programs aimed at the problem of alcoholism, the tributor to crime among Indians. As the effort among BIA, National Institute of Mental Health, and the Veterans' Administration (VA), a hospital for alcoholic Indians was opened in September 1970, the VA hospital in Sheridan, Wyo., the only in-patient and out-patient care for all tribes in Montana and Wyoming. Another joint Federal effort, and the Public Health Service, is a pilot treatment program under the direction of Rosebud College, Billings, Mont. Additionally, many tribes have started individual programs aimed at the prevention and treatment of alcoholism, usually under the direction of the Public Health Service.

BIA currently operates 24 jails and provides space for 23 tribal jails. It also maintains contracts for 30 additional State and local jails. Parole officers are employed by BIA, and Federal correctional personnel employed by BIA are expected to begin soon.

**Youth.** A center for young Indian offenders is being developed with primary funding through an HEW grant to a corporation formed by Arizona Indian tribes and supplemental funding from BIA. Named Sonoran Youth Center, the facility is treatment-oriented and provides vocational training, education, and recreation. The population, currently 80, includes Indians 16 to 24 years of age from Utah, Arizona, Colorado, and Nevada. The youths are placed at Montana, Federal, tribal, and State courts. The center is primarily Indian.

In shifting its emphasis to bring prevention and rehabilitation up to par with its enforcement activities, BIA plans to redirect jail operations toward criminals, alcoholics, and adults, with major emphasis on juveniles.

**Courts.** On reservations not under State jurisdiction, Indian courts dispense criminal justice. In 1970, the Law Enforcement Assistance Administration aided these courts by funding training for Indian judges.

Indian courts are hampered in a number of ways. Judges do not have law degrees and serve without tenure at the pleasure of the tribal council. The only resource available to most judges is the tribal court. There is almost a total absence of probation, although probation to the court is often used. Parole rates are exceptionally low and often on a daily basis. The courts actually worked, requiring judges to have a steady income as a primary source of income.



Fishing for smallmouth bass in the Ozarks.

**Budget.** The BIA law enforcement budget for FY 1971 totalled \$5,840,000. Program supervision and investigation used 47.6 percent of the total; enforcement activities, 40.1 percent; prevention and rehabilitation, 6 percent; jail operations, 4.4 percent; and court operations, 1.9 percent. The Division of Judicial, Prevention, and Enforcement Services, which administers the BIA law enforcement program, operated in FY 1971, with a personnel roster of 275 people.

## United States Fish and Wildlife Service

The law enforcement activities of the Fish and Wildlife Service are largely directed at hunting and fishing in violation of Federal, State, and local laws.

Game Management Agents of the Service Bureau of Sport Fisheries and Wildlife are trained to uncover and investigate violations which endanger U.S. fish and wildlife resources. At U.S. ports, game management agents are charged with inspecting imported fish and wildlife.

is its Management and Enforcement Program, which is responsible for law enforcement and regulatory activities. The goal of this program is to protect fish and wildlife resources and to control human activities so as to ensure the perpetuation of these resources while providing optimum citizen benefits and pleasure.

**Authority.** The law enforcement activities under the Management and Enforcement Program are authorized by the following:

- ☐ Fish and Wildlife Coordination Act (16 U.S.C. 661-666c),
- ☐ Bald Eagle Act of 1940 (16 U.S.C. 668-668d),
- ☐ Endangered Species Conservation Act of 1969 (U.S.C. 668aa *et seq.*),
- ☐ National Wildlife Refuge Systems Administration Act of 1966 (16 U.S.C. 668ddd-668eee),
- ☐ Migratory Bird Treaty Act (16 U.S.C. 703-711),
- ☐ Migratory Bird Hunting Stamp Act (16 U.S.C. 718-718h),
- ☐ Black Bass Act (16 U.S.C. 851-856),
- ☐ Lacey Act (18 U.S.C. 42-44), and
- ☐ Tariff Act of 1930 (19 U.S.C. 1202 as pertains to importation of the feathers or skins of wild birds).

**Enforcement.** U.S. Game Management Agents are responsible for enforcing Federal statutes pertaining to the control and migration of wildlife. They receive formal training in investigation and enforcement activities from the Department of the Interior, and they cooperate with State conservation departments to protect all migratory and resident wildlife. Teams of specially trained Game Management Agents are available to set up National Law Enforcement Workshops at locations and times requested by States, in order to provide professional training to State and local wildlife authorities. About 30 Agents participate in this training effort. Game Management Agents also engage in public education programs in wildlife conservation designed to prevent violations by fostering understanding.

**Violators.** The majority of enforcement activities arise from hunters who are in violation of the Migratory Bird Treaty Act and fishermen who violate State fish and game codes. Problems in the area of law enforcement include limited financial resources and restricted statutory authority in the area of search and seizure.



chests or bags to conceal and preserve illegally taken game within a matter of minutes, or a few hours at most, from the time when taken. At night, he stays in motels or hunting camps often hundreds of miles from home. Being highly mobile, the modern hunter can easily evade apprehension from officers restricted by warrant requirements. Most States have recognized these conditions and provided their wildlife officers with authority to make inspections and reasonable warrantless searches. Bureau officers do not have such authority.

Game Management Agents also have inspection responsibilities with reference to wildlife entering the United States from other countries.

**Animal imports.** The law requires that all fish and wildlife (with limited exceptions) imported into the United States must pass through one of the eight ports of entry designated under regulations established by the Secretary of the Interior. Each port is staffed with U.S. Game Management Agents to monitor all fish and wildlife imports, including live animals and animal parts or products, by actual inspection of the shipments. Once cleared, the shipment moves to the U.S. Customs Agents for further processing. Over 98 million live wild animals were imported into the United States during calendar year 1970.

**Funds.** To accomplish the Bureau of Sport Fisheries and Wildlife enforcement activities, together with related management responsibilities, the following resources have been available:

	Fiscal year		
	1969	1970	1971
Funds available:			
Personal services.....	\$3, 122, 000	\$3, 532, 000	\$3, 817, 000
Operations.....	1, 376, 000	1, 294, 000	1, 347, 000
Total.....	\$4, 498, 000	\$4, 826, 000	\$5, 164, 000
Permanent positions.....	235	235	238

## Trust Territory of the Pacific Islands

Support for law enforcement efforts in the Trust Territory of the Pacific Islands is provided by the Department of the Interior as part of its administrative responsibility for the territory.

An Insular Constabulary or Police Force is charged with the policing function, while the attorney general of the trust territory is responsible for criminal prosecutions and for operation of the court system.

Police officer in the Trust Territory of the Pacific Islands.

**Background.** The U.S. Government assumed administrative authority over the Trust Territory of the Pacific Islands on July 18, 1947, through a trusteeship agreement between the United States and the Security Council of the United Nations. From that date until July 1, 1951, the Secretary of the Navy had administrative control. By the Act of July 30, 1954 (48 U.S.C. 1684), Congress provided the authority to operate a civil government in the trust territory. Executive Order 11021, May 7, 1962, vested full responsibility for administration of this area in the Secretary of the Interior. Numerous other Executive orders and implementing Secretarial orders contain changes necessary for continuous updating of the regulatory process.

This report refers only to the Trust Territory of the Pacific Islands. American Samoa, Guam, and the Virgin Islands are unincorporated territories which finance their crime prevention and law enforcement programs through local revenues or with Federal funds from agencies other than Interior. The trust territory is composed of the Mariana Islands (except for Guam), the Marshall Islands, and the Caroline Islands.

It is the mission of the Department of the Interior to provide for the administration of the trust territory as agreed in the trusteeship agreement between the United States and the Security Council of the United Nations on July 18, 1947.

Under the High Commissioner and the established governing bodies is the attorney general of the trust territory. Within that office is the Department of Public Safety, which is responsible for all phases of law enforcement and criminal justice. Criminal convictions may be based on trust territory law, district or municipal ordinances, or certain local customs recognized in the society. The office of the attorney general is responsible for the prosecution of criminal cases. The trust territory's court system, also under the responsibility of the office of the attorney general, receives assistance from the Department of the Interior.

**Staff.** There are approximately 220 law enforcement officers in the trust territory. They are titled Chiefs of Police, Captains, Lieutenants, and Patrolmen.

In accordance with sections 240, 241, and 242 of the Code of the Trust Territory, the Police Force is responsible for law enforcement. The Force is an armed, uniformed, and trained group of men and women organized into six districts, each responsible for law and order, fire protection, and administration of penal facilities.

**Funds.** Resources for criminal justice programs in the trust territory have grown substantially in recent years, as indicated by the following expenditures, computed by calendar years.

1969 .....	\$698, 000
1970 .....	1, 325, 000
1971 (estimated) .....	1, 249, 000
1972 (estimated) .....	1, 332, 000



Theft and unauthorized use and sale of food stamps, mislabeling of meat and poultry destined for sale to the public, commodity exchange fraud, and crimes on National Forest lands are among crimes falling within jurisdiction of the Department of Agriculture.

As part of the national effort against narcotic addiction and chronic drug abuse, the Department also has undertaken programs to help combat international narcotics traffic and to find methods of eradicating wild hemp (marijuana) growing in parts of the United States.

The Department has general law enforcement responsibilities related to criminal violations of its many programs to aid those involved in the production and marketing of U.S. agricultural products. The Department's main law enforcement arm is the Office of the Inspector General (OIG).

Many of the laws which established the functions of the Department cite criminal penalties for violations of their provisions. In some of those, Congress described the violations that would be subject to such penalties. In others, Congress empowered the Secretary of Agriculture to describe, in regulations, the violations that would be subject to the criminal penalties in the acts.

**Authority and mission.** The U.S. Department of Agriculture (USDA) was created by the Act of Congress of May 15, 1862 (5 U.S.C. 511) with power and responsibilities defined as acquiring and making available to the public "new and valuable seeds and plants" and "useful information on subjects connected with agriculture."

During the ensuing years, Congress continued to assign to USDA additional functions which now encompass research, education, conservation, child nutrition, consumer protection, plant and animal health, forestry, marketing, agricultural credit and adjustment, rural housing and development, acquisition and disposal of surplus agricultural commodities, foreign agricultural affairs, and various regulatory programs.

## Law Enforcement Programs

Summaries of Department of Agriculture law enforcement efforts are provided here. More complete descriptions of programs and details of FY 1971 activities are provided in subsequent portions of this chapter.

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Protecting consumers and the Federal Government from irregularities in the use and sale of food stamps is a high priority law enforcement concern of the Department of Agriculture.

**Food stamps.** In FY 1971, violations involving the Food Stamp Program comprised the largest USDA criminal investigative effort. Unauthorized use and sale of food stamps and theft of food stamps from issuing offices were the major offenses in this area. USDA is working to combat this problem through intensive investigations by OIG of those suspected of violations and the development of improved security measures at issuing offices.

**Rural assistance.** Criminal violations connected with rural assistance and loan programs also required extensive investigative effort throughout the year. For example, improper or illegal payments to producers have continued to be a problem in the commodity price support program. Falsification of loan applications and unauthorized disposition of mortgage livestock were among the most common violations related to the rural loan program.

**Interagency cooperation.** The investigative role of OIG often requires close cooperation with other Federal agencies as well as State and local authorities. In investigating improprieties on the part of meat inspectors and graders, OIG has worked closely with U.S. attorneys, the Federal Bureau of Investigation, and the Internal Revenue Service. Coordination with State agencies is maintained in order to ensure compliance when the processing and retailing of meat or poultry products does not involve interstate shipment.

**Marijuana.** USDA has encouraged farmers to cooperate in a program to reduce the amount of wild hemp (marijuana) growing wild in the United States. In FY 1971, the Bureau of Narcotics and Dangerous Drugs (BNDD) awarded USDA \$85,000 to launch a pilot program for the elimination of wild hemp in selected rural areas. The program tested the feasibility of supporting the eradication of the plant through cost-share subsidies to farmers. It was found that the cost of this approach, on a wide-scale treatment basis, would be excessive.

**Narcotic plants.** The Agricultural Research Service (ARS) is contributing its technical capabilities to efforts to combat drug abuse. A total of \$2.1 million has been appropriated to ARS in FY 1972 for research that could lead to more effective means of destroying narcotic plants and locating production areas. Some of this work will be done in cooperation with BNDD scientists and in BNDD facilities.



State efforts in the rehabilitation of youthful offenders. Under the Job Corps Program, the Forest Service operates 20 Civilian Conservation Centers on National Forest land for underprivileged youths. Ten former Centers have been made available to States for use as youth rehabilitation centers. Forest Rangers also have a number of law enforcement responsibilities in safeguarding the National Forests against such offenses as theft, trespassing, and poaching.

## Office of the Inspector General

Nationwide investigative and audit coverage of Department of Agriculture programs is provided by the Office of the Inspector General (OIG), the main law enforcement element of the Department.

The Inspector General reports directly to the Secretary of Agriculture and exercises line supervision over seven OIG regional offices.

OIG was formed in 1962 when the Secretary of Agriculture recognized an urgent need for an independent fact-finding organization to serve the Secretariat and officials at all levels of management.

The investigative mission of OIG covers:

- ☐ Criminal violations involving USDA programs;
- ☐ USDA-related violations of the Federal criminal code (title 18 U.S.C.) in which the Federal Bureau of Investigation or other Federal agencies do not have, or waive, primary investigative jurisdiction; and
- ☐ Noncriminal violations involving USDA programs.

USDA's Office of the General Counsel (OGC) receives OIG reports where criminal violations of the program statutes or title 18 U.S.C. are established. OGC, in turn, refers the reports to the Department of Justice for prosecutive consideration. When information is developed which is a matter of official interest to another executive department, a copy of the OIG report is also sent to the appropriate agency within that department. For example, during FY 1971, copies of OIG investigative reports were sent to the Internal Revenue Service and the Bureau of Narcotics and Dangerous Drugs. In addition, OIG often furnishes its reports to State and local prosecutors when violations of State and local criminal laws are indicated.

OIG expenditures for criminal investigations totaled \$4,511,000 (of which \$490,000 is estimated) in FY 1971, compared with \$3,877,000 in FY 1970 and \$3,664,000 in FY 1969.

## Food Stamp Violations

Among the Federal food programs administered by the Food and Nutrition Service (FNS) is the Food Stamp

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Security measures, such as bars at issuing windows, help food stamp issuing offices protect against theft.

investigations. OIG investigation in this area, as well as in all other USDA programs, is aimed at achieving program compliance, enforcing program requirements, assuring integrity of the program. The thrust of OIG investigative aims is to prevent future violations and cooperate in legal action against offenders.

Food stamp investigations involve such offenses as acceptance by retail merchants of food coupons in payment for liquor, tobacco, or other nonfood items; authorized purchase of food coupons for cash; and acquisition, use, or sale of food coupons contrary to law.

During FY 1971, 76 indictments and 63 convictions were obtained as the result of OIG food stamp investigations. The 63 convictions were based partly on pre-indictments and partly on some of the above 76 indictments. In addition, more than \$30,000 in fines were levied in FY 1971, as the result of OIG food stamp investigations.

Theft of food stamps from local issuing offices has been a continuing problem, although its seriousness has diminished as a result of corrective actions taken to improve security of food stamp inventories.

During 1971, in coordination with FNS, OIG conducted surveys of food coupon issuing offices to evaluate security and to recommend preventive measures.



On the results of the surveys, FNS published instructions for overnight removal of food stamps from local issuing offices with inadequate security and for reduction of local food stamp inventories.

The \$900,000 face value of food stamps stolen in FY 1970 decreased to \$630,000 in FY 1971, of which \$59,000 was physically recovered. OIG plans to continue to combat this problem through its investigative efforts and close coordination and cooperation with local, State, and Federal law enforcement agencies.

**Expenditures.** During FY 1971, OIG spent more than \$1,648,000, or more than 35 percent of its total criminal investigative expenditures, investigating violations of the Food Stamp Act. Expenditures for food stamp violations totaled \$1,083,000 in FY 1970 and \$902,000 in FY 1969, indicating the significant growth of this OIG activity.

## Meat and Poultry Violations

**Animal Plant Health Inspection Service (APHIS)** meat and poultry inspectors and Compliance Staff members have responsibilities for uncovering violations of laws relating to the processing, packing, labeling, shipping, and sale of meat and poultry products.

**Authority.** Their authority derives from the Federal Meat Inspection Act and the Poultry Products Inspection Act, as amended, which are administered by APHIS to insure the wholesomeness and truthful labeling of domestic, imported, and exported meat and poultry. Both acts prescribe criminal penalties for certain violations (21 U.S.C. 601, 622, 675, 676).

**Inspection services.** APHIS meat and poultry inspectors provide inspection services at meat and poultry slaughtering and processing plants where the finished product is transported interstate for marketing and human consumption. Inspectors determine that meat and poultry are wholesome and truthfully labeled and scrutinize all aspects of the processing procedure, including physical cleanliness of the plant and processing personnel.

However, meat and poultry can deteriorate or otherwise become unfit for human consumption after leaving federally inspected plants, or products can be sold under deceptive labels. The Compliance Staff monitors compliance by the meat and poultry and allied industries (cold storage, transportation, etc.) with the laws and regulations prohibiting the sale of unwholesome, adulterated, or mislabeled meat and poultry products to the public. The Compliance Staff performs its mission by examining or spot checking interstate shipments of meat and poultry

products at the point of origin as well as at retail establishments.

The Compliance Staff also maintains close liaison with State agencies responsible for monitoring compliance with State laws governing the processing and retailing of meat



Department of Agriculture meat inspector stamps condemned carcass.

and poultry products. When the Compliance Staff discovers unacceptable meat or poultry at a retail establishment, which was not involved in interstate shipment, they put a "hold" on the product and immediately notify the State agency. The State agency inspectors reciprocate when they discover unacceptable products which were involved in interstate shipment.

**Violations.** Discover acts, 6 gation cases prosc ferra Staff in FY 1971.

Criminal violations of the Federal Meat Inspection Act investigated by OIG involve such offenses as interstate shipment of nonfederally inspected meat, unauthorized use of meat or grading stamps, alteration of inspection or grading certificates, and introduction into consumer channels of adulterated and unsound meat or meat products.

Law enforcement responsibility regarding the Packers and Stockyards Act of 1921, is administered by the Packers and Stockyards Administration (P&SA) to assist farmers and ranchers in obtaining true market value for livestock and poultry and to protect members of livestock, poultry, and meat industries against unfair business practices of competitors.

P&SA investigates violations and refers reports showing criminal violations to the Department of Justice for appropriate disposition.

Such violations include using false accounting procedures, concealing kickbacks and payoffs, issuing insufficient fund checks, failing to pay for livestock, making false records, and violating cease-and-desist orders.

Although the act contains several criminal provisions (7 U.S.C. 195, 207, and 211 and 15 U.S.C. 50), they are invoked infrequently.

The Packers and Stockyards Act was previously administered by the Packers and Stockyards Division of USDA's former Consumer and Marketing Service (or its predecessor agencies). In 1967, the Secretary of Agriculture established P&SA as a separate agency to administer the act.

P&SA administers the act, nationwide, through its 13 area offices located in the principal livestock marketing areas. This requires supervising the marketing operations of public stockyards, private livestock buying yards, meat-packers, livestock commission firms and dealers, and poultry dealers and processors.

P&SA estimates it spent \$15,000 in FY 1971 investigating possible criminal violations.

## Commodity Credit Violations

Programs to support and stabilize farm prices, carried out by the Commodity Credit Corporation (CCC) with the support of the Agricultural Stabilization and Conservation Service (ASCS), have attracted such unlawful activities as embezzlement, illegal payments to producers, and falsification of statements made to obtain price support.

Such irregularities come under the investigative purview of OIG.

**Commodity Credit Corporation.** The Commodity Credit Corporation (CCC) was organized in 1933 (Executive Order 6340) and operated in coordination with the Reconstruction Finance Corporation. It was transferred to the Department of Agriculture in 1939; and in July 1948, it was established as an agency of the United States under permanent Federal charter (62 Stat. 1070; 15 U.S.C. 714).

CCC's purpose is to stabilize, support, and protect farm income and prices; assist in maintaining balanced and adequate supplies of agricultural commodities and their products; and facilitate the orderly distribution of commodities.

CCC is managed by a six-member board of directors, subject to the general supervision and direction of the Secretary of Agriculture, who is ex-officio director and chairman of the board. CCC is capitalized at \$100 million and is authorized to borrow up to \$1 billion.

Agricultural Stabilization and Conservation Service (ASCS) administers, among others: (1) price-support programs for agricultural commodities (such as wheat, corn, and cotton) to help assure a fair return to producers; (2) programs which limit the production of certain commodities and thus keep supply in line with demand; (3) long-term land retirement programs which farmers are paid to shift cropland into uses such as woodlands and recreational facilities for noncrop uses; (4) the Rural Environmental Assistance Program, which provides cost sharing with farmers to carry out needed conservation and other environmental improvement measures; and (5) commodity disposal and inventory operations which protect farm income by taking surplus price-supported commodities off the market, adding them to stocks under storage loan or government ownership.

Criminal investigations connected with price-support commodities and other ASCS and CCC programs involved violations of both title 18 U.S.C. and criminal provisions of the acts establishing various ASCS programs, such as the Commodity Credit Corporation Charter Act (15 U.S.C. 714). Criminal violations include false statements and entries made in order to obtain price support and other assistance, embezzlements, fraudulent issues of obligations of CCC, larceny, and conversion of properties.

During FY 1971, OIG spent \$1,063,000 investigating criminal violations in this area.

The investigations resulted in recovery of more than \$2 million of illegal or improper payments made to producers. In addition, 34 indictments and 18 (not related) convictions were obtained in FY 1971 and fines levied against producers exceeded \$15,000.

## Crop Insurance Violations

Violations related to programs administered by the Federal Crop Insurance Corporation (FCIC) to provide insurance against crop loss from weather, insects, disease, generally involve fraudulent insurance claims.

Investigations of such violations are conducted by OIG, which spent \$126,000 in FY 1971 for that purpose.

FCIC was created under title V of the Agricultural Adjustment Act of 1938 (52 Stat. 72; 7 U.S.C. 1501 et seq.).

## Farm Mortgage Violations

Falsification of loan documents and unauthorized disposition of mortgage livestock or equipment are the most common areas of criminal activity related to the rural loan programs of the Farmers Home Administration (FHA).

FHA was established to assist in the development of rural areas by making loans, at generally favorable interest rates, to individuals who could not qualify for loans at conventional lending institutions because of their limited income and resources. FHA operates under the Consolidated Farmers Home Administration Act of 1939 (52 Stat. 1070).

duction of rural community water and waste disposal systems.

Funds for FHA loans and grants come from annual appropriations by Congress, balances in revolving funds established by legislation), and private lenders who purchase loans which are insured by FHA. Most of the loans are now made on an insured basis.

Major areas of criminal activities here, as noted above, include falsification of loan applications or other loan documents and unauthorized disposition of mortgage livestock or equipment.

During FY 1971, OIG spent \$706,000 investigating such offenses, consisting primarily of title 18 U.S.C. violations. Nineteen indictments and 10 (not all related) convictions were obtained during the year, and more than \$3,000 in fines were levied as the result of OIG investigation of FHA loan program violations.

## National Forest Violations

Law enforcement responsibilities of the Forest Service are typically related to such activities as trespassing, theft, vandalism, and unlawful hunting on National forest land.

Another notable Forest Service activity, however, is in the area of rehabilitation of youthful offenders. A number of former Civilian Conservation Centers, located on National forest land, have been made available to States for use as rehabilitation centers, which provide specialized job training and education for incarcerated youths.

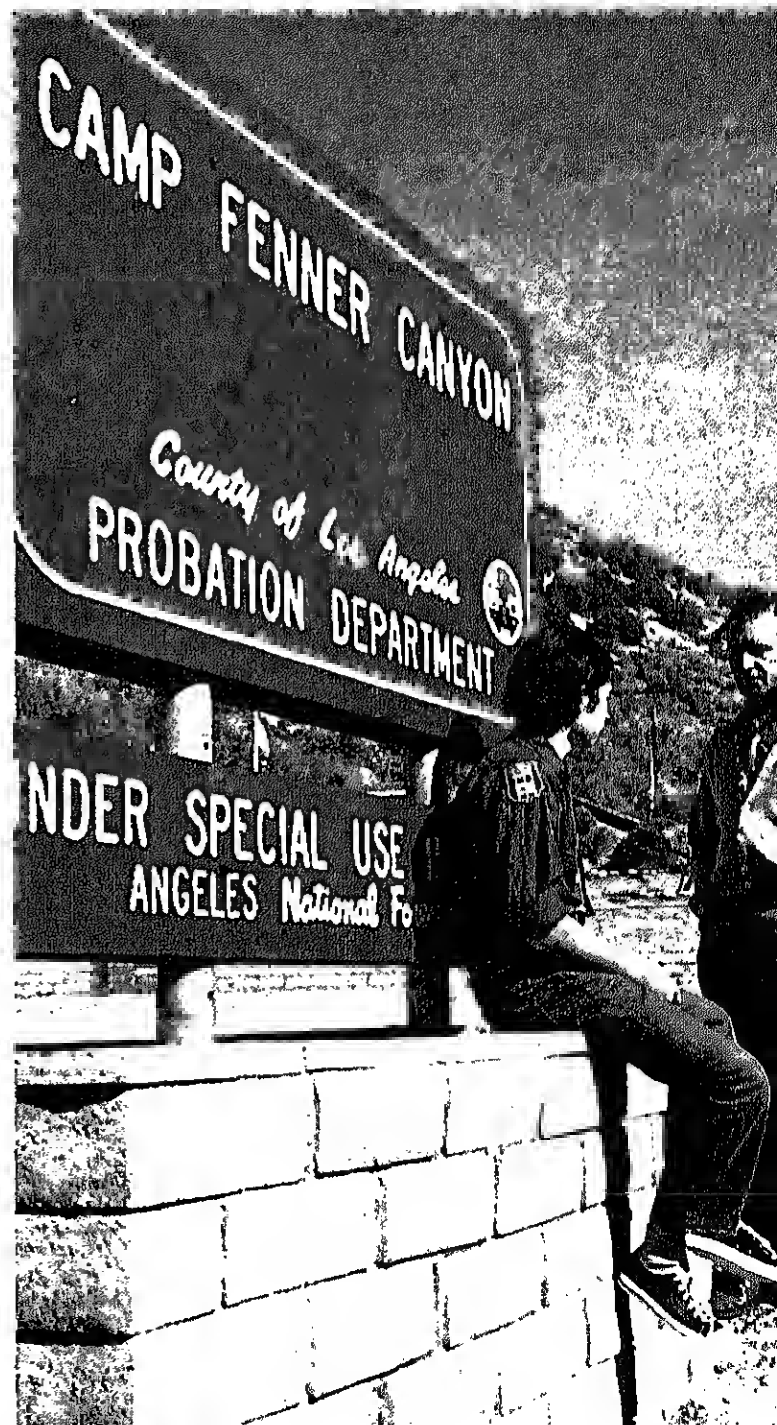
**Background.** The Forest Service was created by the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), which also transferred responsibility for managing the National forests to the Department of Agriculture. This responsibility included authority for the Secretary of Agriculture to make rules and regulations needed to preserve and protect National forests through regulating use and occupancy. Some of the rules and regulations established by the Secretary include fines and imprisonment for violations, as authorized by the act.

**Scope of activities.** The Forest Service presently manages 55 National forests and 19 National grasslands, covering 87 million acres in 44 States and Puerto Rico. There are about 3,000 permanent and an additional 1,000 seasonal Forest Rangers or Forest Guards who have law enforcement responsibilities (involving timber theft, trespassing, etc.), among other duties. The amount of time these employees devote to law enforcement activities varies, but the Forest Service estimates that their enforcement activities during FY 1971 cost \$1.1 million.

Although most Forest Service personnel have some investigative responsibilities, often incidental to carrying out other duties, there are 28 professionally trained investigators whose primary responsibilities lie in this area. These investigators work to safeguard the National forests and National grasslands against theft of timber, vandalism, poaching (hunting wildlife without permission),

Camp Fenner Canyon is one of 10 former Civilian Conservation Centers which have been made available by the Forest Service for use as youth rehabilitation camps.

and trespassing. In addition, these investigators advise and train certain supervisory Forest Service personnel in law enforcement and investigative matters. The Forest Serv-



underprivileged youth. Ten former Federal House of Representatives are available by the Forest Service to the eight States in which they were located (Arizona, California, Kentucky, Maryland, Michigan, Missouri, Oklahoma, West Virginia). The sites are used by the States as youth rehabilitation centers and, in some instances, the Forest Service provides technical assistance, supplies, and equipment.

Although the administration of the rehabilitation centers is primarily a State effort, some have received Federal support to carry out their programs. Camp Fenner Canyon, which is located on National forest land in California, was awarded a \$199,882 grant in FY 1971 from the Law Enforcement Assistance Administration (LEAA). The grant is supporting an experimental vocational training and placement program designed to meet the needs of both the probationer and the community.

The program is structured to provide basic education, skill training, and job development and placement to 16- to 18-year-olds incarcerated at the camp. A ward leaving the camp is assisted in establishing himself in his community through placement aid and supportive counseling and guidance from seven community-based aftercare units.

LEAA support has also been obtained for a similar program at Frenchburg Correctional Rehabilitation Center in the Daniel Boone National Forest in Kentucky. A grant of \$156,560 in FY 1971 was awarded for an individualized counseling and training program for the selected first offenders who reside at Frenchburg. Frenchburg has provided a facility in which youthful offenders are not subjected to the normal prison atmosphere.

## Narcotics and Drugs Programs

During the past several years, USDA has participated in a number of programs to assist Federal efforts in the area of drug abuse prevention. On the domestic front, USDA's work has concentrated largely on encouraging farmers to eradicate the wild hemp weed from which marijuana is obtained. Efforts are also underway to combat the traffic of illegal narcotics from overseas.

**Hemp eradication.** Normal farming practices, such as weed eradication, keep wild hemp under control on cropland. Its elimination from areas along roads, streams, and fences, however, is not a matter of primary interest to the average individual farmer but is of major interest to the public at large.

In 1970, USDA's Extension Service (ES) cooperated with the Department of Justice's Bureau of Narcotics and Dangerous Drugs (BNDD) in carrying out a pilot program for voluntary wild hemp elimination in 22 counties of 11 States. ES prepared an illustrated publication to assist farmers in identifying the weed and in cooperating in the program. ES field personnel distributed the publication to the farmers and otherwise assisted them to voluntarily destroy wild hemp on their land.



Camp Fenner Canyon

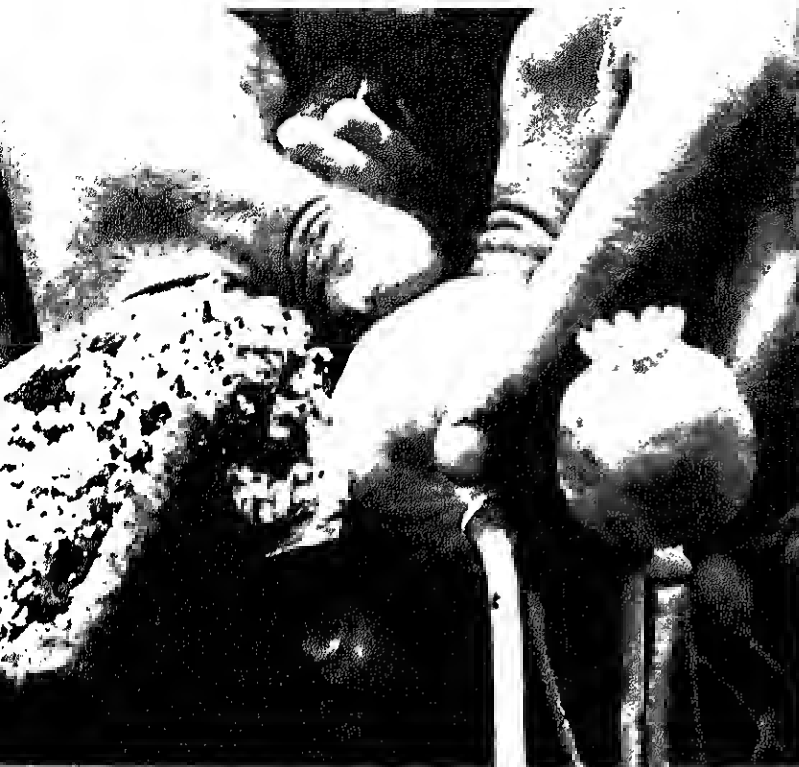
The voluntary program was substantially successful in eliminating the wild hemp along roadsides and other areas readily visible and accessible to the public, because cooperating farmers focused their activities in these locations. However, the program was not as successful in eliminating this weed from less accessible farm areas, particularly those adjacent to fences or streams away from roadsides.

Recognizing that farmers should not be expected to bear the full cost of eliminating the weed from such areas, BNDD gave USDA \$85,000 in 1971 to launch another pilot wild hemp elimination program in a few selected counties. Under this cost-sharing program, the Government paid farmers 90 percent of the actual cost of removing wild hemp from land other than cropland.

The Agricultural Stabilization and Conservation Service (ASCS) of USDA was chosen to administer the 1971 pilot program because that agency already had an existing network of county offices that handled production adjustments on certain farm commodities and encouraged the establishment of conservation practices, including weed control, among other things. ASCS received support, not only from the farmers themselves, but also from such youth groups as the Scouts and 4-H Clubs.

The purpose of the pilot program was to determine if this approach represented a feasible method for getting farmers to eliminate wild hemp from the noncropland areas of their farms.

Subsequent evaluation indicated that the cost of the new approach would be excessive if applied on a wide-scale treatment basis (especially because extensive acreages of the plant grow on both farmland and nonfarmland in many areas), and that it would be more effective



Opium being harvested from pods in a foreign nation.

to concentrate on regulatory procedures. The pilot cost-sharing program was, therefore, discontinued.

**Narcotics research.** The Congress provided the USDA Agricultural Research Service (ARS) with \$2.1 million in FY 1972 appropriations to finance that Agency's participation in the President's drug control program by combating the overseas production of illicit narcotics. ARS will contribute to the President's program by:

(1) Conducting botanical research on the natural distribution of narcotic plant species (which USDA takes to include the hemp plant, the opium poppy, and the coca shrub—the source of cocaine) in relation to their areas of illicit production, adaptation to other regions of the world, cultural methods, and appropriate methods of control.

(2) Conducting research that will lead to more efficient methods of eliminating illicit stands of narcotic plants. Research will be directed to screening herbicides (weedkillers) already accepted in agricultural crop production to identify chemicals that react only to the opium poppy and marijuana without harming surrounding vege-

Marijuana plant.

try of origin of illicit opium production through narcotics products associated with strains of poppy and cultivation practices used in different parts of the world.

(4) Conducting research to develop alternative and livestock systems that can be used profitably by producers now growing poppies and marijuana.

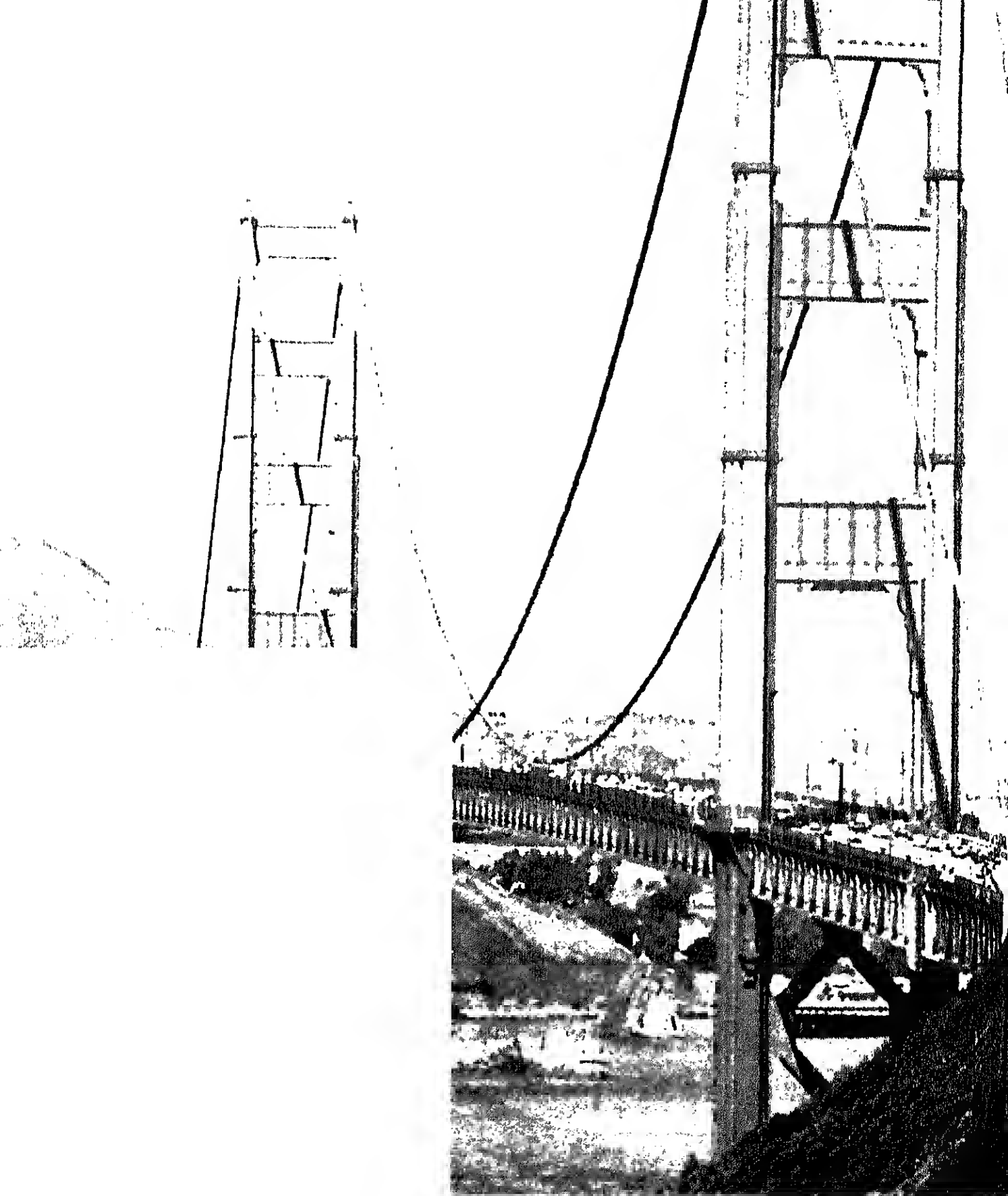
**Efforts overseas.** Late in FY 1971, Turkey agreed to eliminate poppy production by July 1972, a decision reached after several years of negotiation between the United States and Turkey.

Shortly after the Turkish announcement, a study was convened by President Nixon, at the request of the Turkish Prime Minister, to outline profitable alternatives to Turkish opium poppy production. The team, led by the Administrator of the Agency for International Development of the Department of State, worked closely with Turkish agricultural experts to recommend methods of improving Turkish farm income. The team recommended a combination of wheat, feed grains, seeds, and livestock enterprises as the most profitable alternatives to the poppy crop.

In addition to the \$2.1 million, Special Foreign Agency Program Funds provided by P.L. 480 will be used to conduct supportive research in countries such as Turkey that have expertise in drug plants. These projects will be directed toward studies on the range of species of plants containing narcotic components, natural enemies of narcotic plants, and the chemistry of the natural products of narcotic plants.









The Department of Commerce, under interagency agreements with the National Institute of Law Enforcement and Criminal Justice, the research arm of the Law Enforcement Assistance Administration (LEAA), performs a number of services of great importance to the criminal justice community.

These services involve the collection and processing of data resulting in statistical information on the organization and functioning of the major sectors of the criminal justice system, and developing and testing performance standards of various equipment and facilities to aid law enforcement officials and potential crime victims.

Under contract to the National Institute of Law Enforcement and Criminal Justice, the National Bureau of Standards ran tests on helmets, body armor, sirens, and other police equipment in an effort to develop voluntary performance standards to assist police departments in buying such items.

The Office of Export Control, the only element of the Department of Commerce with direct enforcement authority, opened a number of investigations under laws prohibiting avoidance of export control over commodities and technical data.

Descriptions of those and other activities of the Department follow.

## Scope of Activities

Summaries follow of the background of the Department of Commerce and of the three offices within it which exercise functions related to Federal law enforcement or criminal justice assistance.

**Background.** The Department of Commerce was created in 1913 by an act which reorganized the Department of Commerce and Labor (15 U.S.C. 1501). In an effort to further economic and technological advancement, it directs its activities toward assisting and encouraging States, localities, industries, and firms. It is charged with disseminating pertinent information to these elements, promoting U.S. exports and travel to the United States, and providing financial and technical assistance to areas with lagging economies.

**Bureau of the Census.** Under interagency agreement with the Statistics Division of the National Institute of Law Enforcement and Criminal Justice, the Bureau of the Census collects and processes data on subjects of importance to the criminal justice community.

In FY 1970, a Criminal Justice Directory Census enabled the Bureau to identify the addresses and phone numbers of 45,850 public criminal justice agencies in the United States. A similar census, the National Court Organization Survey was begun in FY 1971 to identify divisions, departments, and branches of the 13,421 court systems identified in the Criminal Justice Directory Census.

From addresses obtained in the Directory Census, questionnaires were mailed to locally administered jails in a National Jail Census. The census resulted in the publication of statistics on the facilities, inmates, and employees of correctional institutions throughout the United States. Similar data are being gathered on juvenile institutions through the National Juvenile Detention and Correction Facilities Census. The Census will cover 750 detention and correction facilities in all 50 States. Another survey underway will determine the background and characteristics of inmates and obtain information on the facilities and programs of local jails.

In FY 1971, a joint Census Bureau-LEAA publication presented data from the first nationwide survey of expenditures and employment of Federal, State, and local criminal justice systems. The survey determined the levels of employment and expenditures of units of government for various facets of law enforcement and criminal justice.

In addition, several major victimization pilot studies have been conducted to assess the feasibility of measuring victimization of citizens, as well as commercial and government establishments.

**National Bureau of Standards.** The Law Enforcement Standards Laboratory (LESL), created in 1971 by an interagency agreement between LEAA and the National Bureau of Standards, is charged with developing and testing performance standards of various equipment and facilities to aid both law enforcement officials and potential crime victims.

LESL is working to develop standards in the following categories: protective equipment and clothing, communications equipment and supplies, security equipment, emergency equipment, concealed objects detectors, vehicles, and weapons.

LESL is also developing a plan for certifying private laboratories capable of measuring the performance standards of law enforcement equipment.

The Technical Analysis Division (TAD) of the Bureau of Standards received LEAA funds to conduct a conference attended by computer professionals and court administrators.

At the request of the National Institute, TAD conducted a study of the advantages of computer processing

Administration Act of 1969 is the responsibility of the Office of Export Control. Violations include exporting certain commodities or technical data without a valid license, re-exporting without specific authorization, and other attempts to avoid export control.

The Compliance Division investigates possible violations of the act, and refers cases meriting further action to the Office of General Counsel of the Department or to the Department of Justice, depending on the nature of the violation.



This program is conducted pursuant to title I of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351) which authorizes LEAA "to collect, evaluate, publish and disseminate statistics and other information on the condition and progress of law enforcement in the several States."

## Criminal Justice Directory Survey

A Directory Survey was conducted in FY 1970 to obtain names and addresses of public criminal justice agencies in the United States. The initial survey was funded at \$90,000, and ongoing maintenance will cost \$26,000 a year with a more extensive updating effort every 3 years at a cost of \$50,000.

**Results.** Results of the survey were published in May 1971 (National Criminal Justice Information and Statistics Service, Series SC-D No. 1).

The survey identified a total of 46,159 public agencies in the criminal justice system that are administered at the State or local level. This total was based on identification of all publicly administered agencies dealing with crime, criminals, or the administration of criminal justice. The survey was conducted in the spring of 1970 in each State and county of the United States, plus municipalities and townships with a 1960 population of 1,000 or more persons. Changes in the criminal justice system since January 1970 are not reflected in the statistics in this report.

The results indicate the dispersion within the criminal justice community of the various types of agencies. For example, there are 14,806 enforcement agencies in the United States, of which over 14,000 are operated at the local level of government. It should be noted, however, from other available evidence, that State-operated agencies have about 11 times as many full-time personnel on the average as local agencies.

There are almost as many courts (13,235) as there are enforcement agencies (14,806).

**Courts.** A number of courts are included in the survey which are not in the criminal justice system, such as probate and family relations courts. Approximately seven-eighths of the courts identified operate at the local level of government.

About one-fifth of the agencies identified are involved in prosecution and defense, with prosecutors' offices numbering defenders' offices 23 to one (8,501 to 387). Almost one-third of the defenders' offices are State-operated, but only 7 percent of the prosecutors' offices are operated by State governments.

**Correction agencies.** Twelve percent of agencies listed are corrections agencies (5,159); 4,435 for adults and 724 for juveniles. Probation offices account for another 5 percent (2,445 agencies), with the remaining 4 percent

Metal detection device for use in uncovering concealed weapons is tested at the National Bureau of Standards.

639) of the "other" agencies involved in such diverse functions as police academies, court administration, State Planning Agencies, juvenile boards, and others. About nine out of 10 adult correction facilities and one out of four probation offices are administered locally. In general, the concentration of agencies at the local level of government spans the range of criminal justice activities. Only specialized agencies in the "other" category and those dealing with juvenile correction are more likely to be found at the State level of administration. Twenty-one percent of the juvenile correction agencies and 10 percent of the "other" agencies are State-operated.

## National Jail Census

From addresses collected in the Directory Survey, questionnaires were mailed in FY 1970 to locally administered jails in a National Jail Census, funded at \$50,000 by the AA.

Results of the census were published in February 1971 in the National Criminal Justice Information and Statistics Service, Series SC-1).

**Results.** The census revealed 4,037 locally administered jails in the United States where adults may be retained for 24 hours or longer. Not included in this number are Federal and State prisons or other correctional institutions; institutions used exclusively for juveniles; the State-operated jails of Connecticut, Delaware, and Rhode Island; and drunk tanks, lock-ups, and other facilities where persons are retained for less than 2 full days.

As of March 15, 1970, these local jails held a total of 153,863 persons, including 153,063 adults and 7,800 juveniles. One out of 20 adults held on that date was female. Those incarcerated included 83,079 (52 percent) who were pretrial detainees or otherwise not convicted; two-thirds of the juveniles were in this category. Another 10 percent of the adults (8,688) had been convicted but were awaiting further legal action such as sentencing or appeal; the remaining 43 percent (69,096) were serving sentences of varying lengths.

Of the 4,037 adult jails, about 70 percent also receive juveniles. There are 767 institutions where juveniles serving sentences of a year or less may be retained; a total of 67 jails hold juveniles serving sentences of longer than 1 year.

**Conditions.** In March 1970, 205 (5 percent) of the jails in the United States contained more inmates than

Police departments were among the public criminal justice agencies surveyed by the Bureau of the Census under contract to the Law Enforcement Assistance Administration.



or greater population. Eighty-six percent of these institutions provide no facilities for exercise or other recreation for their inmates. Nearly 90 percent have no educational facilities. Only half provide medical facilities; one in four has no visiting facility; and there are 47 institutions (about 1.4 percent) which are without an operating flush toilet. These 3,319 county and urban institutions contain nearly 100,000 cells. One in four of these cells has been in use longer than 50 years, including more than 5,000 cells that are over 100 years old.

The Nation's jails employed the equivalent of 28,911 full-time persons on March 15, 1970, with an average of about five and a half inmates per jail employee. Operating costs in FY 1969 were \$324 million, and planned construction expenditures for FY 1970 were \$171 million. The March 1970 payroll for such institutions was \$18 million, an average monthly salary of \$617 per full-time employee.

## National Juvenile Detention and Correction Facilities Census

Planning and preparatory work was completed in FY 1971 for a census of juvenile detention and correction facilities to begin in September 1971. The census is funded at \$39,000, of which approximately \$2,000 was expended in FY 1971.

The census, which was conducted through questionnaires to officials in charge of the institutions, will cover an estimated 750 such detention and correction facilities in all 50 States. Included will be temporary care detention centers and shelters; training schools, camps, farms, and ranches for longer term care; reception and diagnostic centers; and halfway houses and group homes.

The data were collected through October 1971, and results will be published.

Information will include: age and characteristics of physical plants; the number, sex, and types of institutional residents; number of professional and nonprofessional staffs; governmental units responsible for operating the centers; and details about correctional, educational, and recreational programs conducted within the institutions.

## National Court Organization Survey

Work began in FY 1971 on another phase of the Directory Survey to identify the subunits (divisions, departments, branches) of the 13,421 court systems identified in the directory and to obtain information about their jurisdiction, personnel, and recordkeeping practices. The census is funded by I.EAA at \$135,000, of which approximately \$75,000 was expended in FY 1971.

Included in the census will be all appellate courts, courts of general jurisdiction, and courts of limited jurisdiction including such special courts as probate, juvenile, and domestic relations, but excluding fee-paid minor magistrates such as justices of the peace.

Other important goals of the National Court Census are to:

- ☐ Find the types and precise location of such court records as dockets, calendars, and case files;
- ☐ Discover the extent to which basic statistics are already kept by courts;
- ☐ Learn the jurisdiction of each court and subunit and obtain estimates of predominant types of caseload in terms of judges' time spent on the major types of litigation; and
- ☐ Obtain precise data on the number of judges and other judicial personnel.

## Victim Studies

A victimization pretest survey was conducted in FY 1970 to determine the availability of records on crimes against State and local governments. In May 1971, the FY 1970 victimization test work was expanded to determine the feasibility of having general governments maintain a "diary" record of major crimes committed against them over a specified period. The initial study was funded at \$30,000, the extension at \$10,000, virtually all of which was expended in FY 1971.

The initial pretest indicated that less than half of all general governments keep records on crimes committed against the Government. Those records which they do keep are frequently maintained only for crimes against which the Government is insured. School systems, on the other hand, do maintain adequate-to-good records covering both crime directed against the school system itself and individual victimization of students, teachers, and other persons while on school property.

The results of the diary record feasibility test will be delivered to the Law Enforcement Assistance Administration in FY 1972.

## Expenditure and Employment Data for the Criminal Justice System

A survey of Federal, State, and local government criminal justice expenditure and employment was conducted in FY 1970 gathering FY 1968-69 expenditure and October 1969 employment data. Field agents and office staff compiled data for the 50 States, 43 large cities, and 55 large counties, and a sample of approximately 6,000 smaller governments was canvassed by mail.

**Results.** The results of the survey, the first nationwide, were jointly published in December 1970 (National

Criminal Justice Information and Statistics Service, Series SC-EE No. 1; Bureau of the Census State and Local Government Special Studies No. 56).

The report shows that more than \$7 billion was spent in the Nation in 1969 on the operation of the criminal justice system. The total includes expenditures at the local, State, and Federal level and the employment of nearly 730,000 persons.

The report also contains data on prosecutions and defense of indigents which never had been collected previously on a nationwide basis.

**Scope of activities.** The \$7.3 billion spent on nationwide criminal justice activities was expended as follows: \$4.4 billion for police (more than half of the total), nearly \$1.5 billion for corrections, \$1 billion for the judiciary, nearly \$369 million for prosecution, and nearly \$78 million for indigent defense.

Local governments accounted for 64 percent of all direct criminal justice expenditures; State governments for 25 percent; and the Federal Government for 11 percent. Local governments employed 70 percent of the persons employed fulltime, or its equivalent, in criminal justice; State governments employed 22 percent; and the Federal Government, 8 percent.

The Federal Government spent \$828.9 million for criminal justice activities—less than 0.6 percent of the total Federal budget, excluding education—and employed 55,485 persons in criminal justice as of October 1969.

States spent \$1.9 billion—2.8 percent of their total general expenditure—on criminal justice, and employed 160,339 persons.

Cities, counties, and townships spent \$4.7 billion—11.8 percent of their total general expenditure—on criminal justice, and employed 513,337 persons.

The 55 largest counties with more than 500,000 population spent some \$756 million—12.2 percent—of their total general expenditure for criminal justice. This amounted to \$12.49 per capita, of which \$4.27 was for police.

Of the 13 largest cities, police protection accounted for 10.4 percent of their total general expenditure.

**New survey.** During FY 1971, a similar survey was conducted to collect criminal justice expenditure data for FY 1969–70 and employment data for October 1970. The survey covered the 50 States, the 128 counties with a 1970 population of 250,000 or more, the 153 cities with a 1970 population of 100,000 or more, and a sample of approximately 6,000 smaller governments. The results will be published jointly by the Law Enforcement Assistance Administration and the Census Bureau in FY 1972.

During FY 1971, the Census Bureau conducted a survey at the request of LEAA to obtain information on the extent of crime victimization of commercial business establishments in the Santa Clara County, Calif., and Montgomery County, Ohio, areas. The two cities in these counties (San Jose and Dayton) have been designated "Pilot Cities" by the National Institute of Law Enforcement and Criminal Justice and are recipients of special LEAA funding for multi-faceted crime reduction and prevention programs.

The data provided included information on the number of businesses involved in burglaries and robberies; on the frequency of these incidents; on the number of incidents by type of crime, by time of occurrence, and by type of weapon and other characteristics.

Preparatory activities were completed during the first half of FY 1971. The survey was conducted and summary results tabulated during the second half of the fiscal year. Approximately \$65,000 was expended during FY 1971. (During FY 1970, \$31,000 was expended to cover the cost of developing plans for the San Jose-Dayton surveys, including the conduct of a pretest in the Cleveland and Akron, Ohio, areas.)

Survey results will be available from the Statistics Division of LEAA.

## Surveys of Victims of Crime

LEAA has asked the Census Bureau to cooperate in developing measures against criminal victimization of private citizens in the United States.

The Census Bureau conducted a series of methodological studies involving known victims of crime to determine, for use in household surveys, the optimum recall period, selection of respondent, and questionnaire wording. The methods developed in these studies were employed in a two-area survey to measure crime victimization against citizens in San Jose and Dayton.

**National sample.** The methods developed have also been employed in working toward a continuing, large-scale, national measurement of criminal victimization. As an interim step, questions have been added to one of the Census Bureau's ongoing survey programs, the Quarterly Household Survey beginning in January 1971 and continuing, at 6-month intervals, throughout the period in which a separate national sample is being developed.

Plans for the national sample call for the field work to commence in July 1972 and build up to a sample of 70,000 interviewed households during the following 12

Planning began in FY 1971 for another study to be sponsored by LEAA—the Survey of Jail Inmates. This is an effort to obtain statistical information on the background and characteristics of jail inmates and the facilities and programs provided by the jails in which they are incarcerated.

Interviews will be conducted with some 5,400 inmates and 4,037 jailers for this survey. The national data collection for this program is planned for FY 1972 and is expected to cost approximately \$200,000.

## National Bureau of Standards

A bank robber's bullet may pierce defective body armor on a responding police officer, injuring or killing him.

A concealed weapons detector may fail and an unlawful concealment of a weapon go unnoticed and unpunished.

A floodlight may go dark at a critical moment and a police rescue end in tragedy instead of success.

Equipment failure may make the difference between life and death, between law enforced and law evaded, in police work.

The traditional lack of performance standards for law enforcement equipment was addressed by the National Bureau of Standards during FY 1971 under a program funded by the Law Enforcement Assistance Administration (LEAA), Department of Justice.

LEAA and the Bureau established the Law Enforcement Standards Laboratory to develop performance standards for police equipment and other equipment to assist law enforcement efforts. A conference for court administrators on computer usage in courtroom procedures was conducted by the Bureau's Technical Analysis Division through LEAA funding.

## Law Enforcement Standards Laboratory

The National Bureau of Standards (NBS) signed an interagency agreement with LEAA in January 1971 to establish the Law Enforcement Standards Laboratory (LESL).

LEAA and its National Institute of Law Enforcement and Criminal Justice have the responsibility under the Omnibus Crime Control and Safe Streets Act of 1968 to assist Federal, State, and local law enforcement agencies in the procurement and selection of equipment.

In 1970, NBS was commissioned by the Institute to prepare recommendations for implementing this responsibility. This report, entitled "Alternative Plans for a Center for Law Enforcement Equipment User Standards," led to establishment of LESL.

**Mission.** The primary mission of LESL is the development of voluntary performance standards to aid all levels of the law enforcement community in the selection, evaluation, and procurement of equipment. To accom-



New detection device, tested by the Bureau of Standards, indicates on which part of the body a weapon is concealed.

plish this, it is necessary to determine equipment performance requirements of law enforcement officials. Standards will be developed by LESL and promulgated by the Institute.

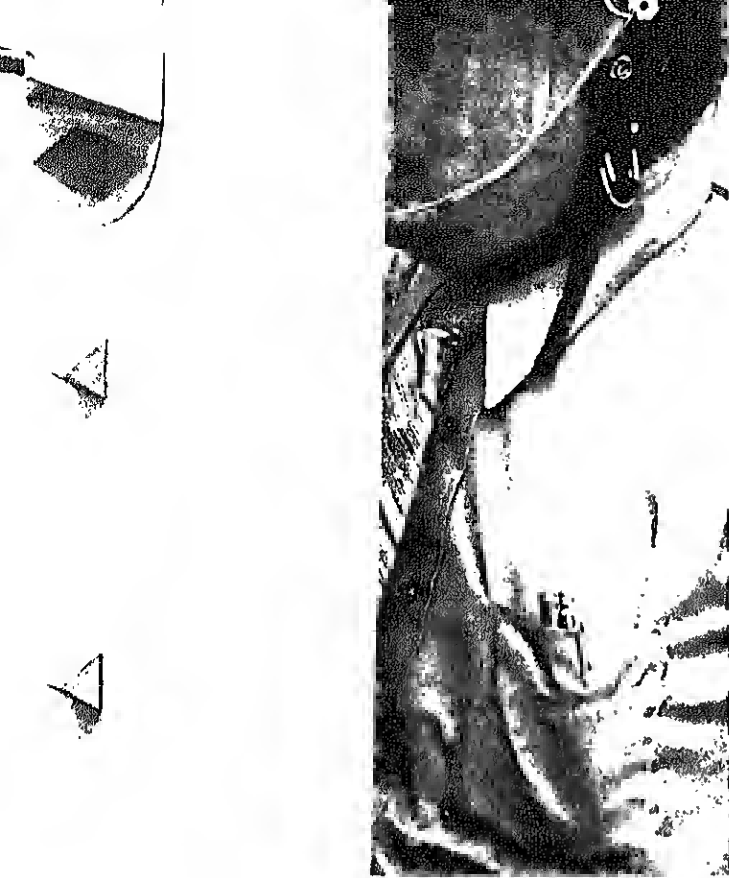
LESL is also responsible for setting up a program to certify private testing labs capable of measuring performance of law enforcement equipment against standards.

**Staff.** LESL consists of a small central staff of program managers who either utilize NBS research facilities or arrange for outside contracts with other government, non-profit, or private research facilities.

**Equipment categories.** The Institute has identified seven categories of equipment for which standards should be developed. Categories and resources allocated or obligated for FY 1971 were:

- (1) Protective equipment and clothing: including body armor, helmets, shields, gas masks, uniforms, and fire-, chemical-, and water-resistant clothing.
- (2) Communications equipment and supplies: including transceivers, telephones and intercoms, voice scramblers, public address systems, terminals, power supplies, cables, and car-location and command and control systems.
- (3) Security equipment: including surveillance and night-vision devices, optical equipment, low-light-level portable television, alarm systems, locks, grills, and other physical barriers.





Protective shield is tested at the National Bureau of Standards.

(4) Weapons: including firearms and ammunition, nonpoisonous gases, batons, and nonlethal devices.

(5) Emergency equipment: including sirens, flashing lights, horns, spot and floodlights, extraction equipment, fire extinguishers, and first-aid kits.

(6) Concealed objects detectors: including weapons, bomb and drug detectors, breath analyzers, and fingerprint and other evidence-collection materials and devices.

(7) Vehicles: including automobiles, motorcycles, power boats, aircraft, and off-highway vehicles.

**FY 1971 activities.** The following work has been done on the programs identified by the Institute:

**Protective equipment.** The performance of police body armor under ballistic impact was evaluated experimentally and an Institute standard was developed. It featured test methods for ballistic penetration and deformation, and performance requirements for resistance to ballistic penetration.

Projects were initiated to develop a standard for hearing protectors (to be used on the firing range to protect against gunshot noise); a standard for police car seatbelts and standards for gas masks to protect against tear gases, smoke, and carbon monoxide; and a standard for riot helmets.

**Communications.** To develop standards for batteries, handheld transceivers, and mobile transceivers, LESL

has reviewed existing standards, obtained data on equipment being developed, and produced and occasionally purchased and tested items for performance.

A program for measuring standard radio parameters has been established. Reports on batteries, battery charging and chargers, and terms and definitions for transmitters, receivers, and antennas to be part of the standards have been prepared.

**Security equipment.** The program manager, working with a part-time functional group at NBS, has been initially concerned with assessing alarm and security systems in government and industry, learning past standardization experience, judging the scope of the program, and assigning program tasks. A standard on magnetic switches has been drafted and others in this area are nearing the draft stage.

**Emergency equipment.** This program was initiated at the beginning of the fourth quarter of FY 1971. A contract was let to NBS Applied Acoustics and Illumination Section, Building Research Division, for a preliminary report on auditory and visual devices, such as flashing lights and sirens, to determine whether any standards exist for emergency lighting systems and sirens which could be modified for use under the LESL program. These studies also took into consideration the fundamental factors which govern the detection, recognition, and interpretation of emergency lights and sirens and the factors affecting conspicuity and visual range of emergency lights and the auditory range of sirens under service conditions.

A literature and hardware search of published research on lights and sirens was conducted using the facilities of NBS and other document centers. An interim report on this preparatory work for the issuance of a standard is being published.

**Concealed objects detectors.** Beginning in May 1971, information was gathered concerning the relative needs within this program area for the development of standards, and a preliminary survey of the state-of-technology in related hardware was made. These activities resulted in the development of a prompt program plan that proposed performance standards be developed for metal weapon detectors, low intensity X-ray devices, and field narcotic test kits. Laboratory work began on the metal weapon detector standard, resulting in a test procedure to measure electromagnetic field strengths of these detectors, a parameter which may be important to people using heart pacemakers.



...and a survey of the...  
begun.

**Vehicles.** Also late in FY 1971, a project was given to what is now the Safety Systems Laboratory, Department of Transportation, to develop a standard for an occupant-restraint system for police vehicles.

## Technical Analysis Division

On the recommendation of personnel of NBS who had studied the need for exchange of information on experiences with computers used for court purposes, the Institute requested NBS to plan, organize, and conduct a conference of court personnel knowledgeable on the matter.

**Court delays.** It was the consensus of this conference that the delays that plague many courts can be significantly reduced by improvements in recording, transferring, updating, and reporting of court data and information needed for management purposes. Participants agreed that a current major problem was the lack of information and expertise concerning computers on the part of court personnel and the unfamiliarity of computer experts with the distinctive nature of court problems.

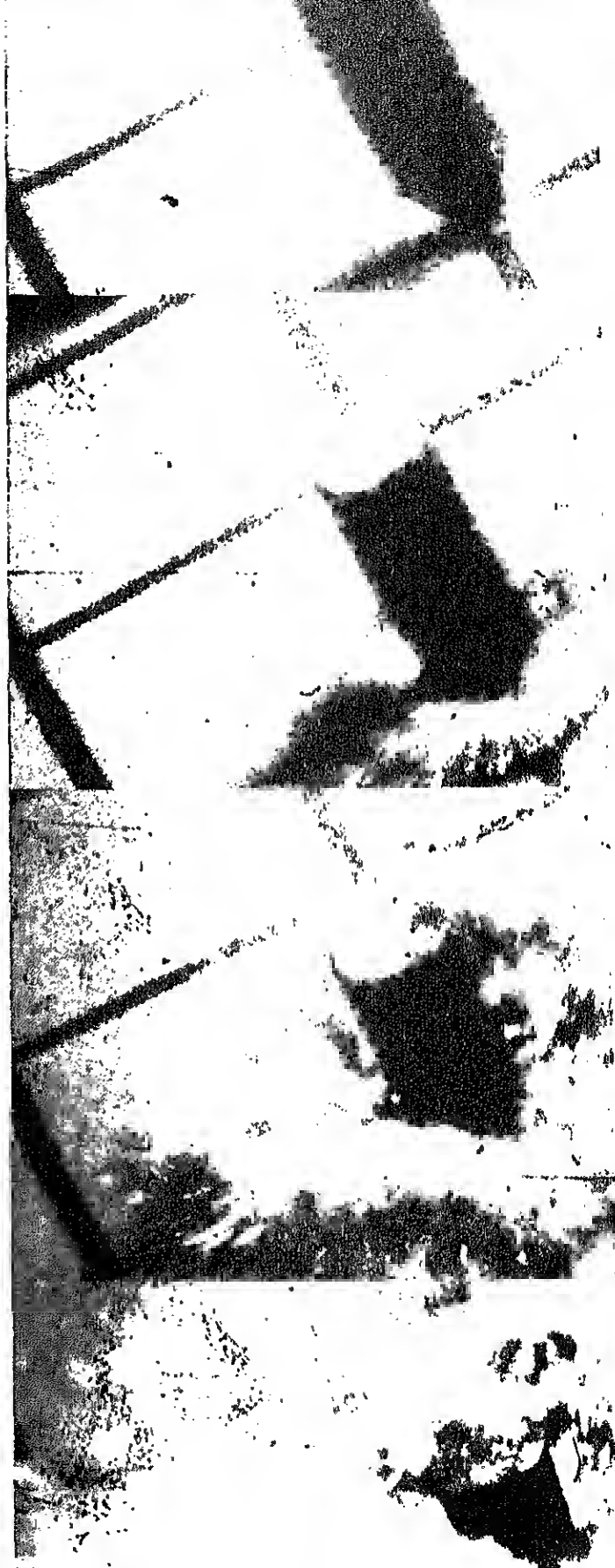
The Technical Analysis Division (TAD) of NBS, assigned the project, invited to the conference court administrators representing the Nation's 25 largest metropolitan court systems, all of which are suffering from large and increasing caseloads. It was felt by TAD that a computer-based system would be economic and efficient in improving information flow. The conference was held Nov. 12-13, 1970. The conference heard an address on practical application of computers in court. In a tutorial session, fundamental computer concepts and philosophy were described to court administrators by eminent computer professionals.

A detailed briefing on funding assistance available through LEAA was delivered by a representative of the agency.

Court personnel described successes and failures of computer application to actual court situations. The conference was concluded by extended dialogue between court administrators and computer professionals.

**Computer uses.** To demonstrate how computers can help in courts, the transcript of the conference itself was developed through use of a computer-aided translation system applied to stenotypography. The Institute asked TAD to conduct a study of the system's potential to reduce delay in preparation of official court records (as required for the appellate process).

Specific objectives of this study included an operational investigation of characteristics of courtroom transcribing techniques currently employed in various jurisdictions; an objective evaluation of the computer-aided transcrip-



The measurement of the impact of a bullet against porcelain is part of a program to develop and test standards for light body ceramic...  
body ceramic...  
body ceramic...  
body ceramic...

**Tests.** The experimental design consisted of two phases: a 3-week test in a controlled environment at NBS facilities in Gaithersburg, Md., followed by a 2-week field test in actual courtrooms.

Field tests were conducted in the courts of Philadelphia. Additional assistance in the planning and conduct of the tests was provided by the Office of the Chief Justice, Supreme Court of Michigan, the Administrative Office of the Illinois Courts, and the Executive Office of the Superior Court of the District of Columbia.

**Purpose.** The main purpose of the testing and analysis program was to determine and catalogue key characteristics of typical courtroom reporting techniques to examine the feasibility of employing modern computer technology in this field. Objective standards and methods of evaluation were applied.

In the controlled-environment laboratory phase only, one manual-shorthand reporter participated, recording in Gregg shorthand and typing the transcript. The other participants were active in both the laboratory and courtroom phases of the project. One of these operated a six-track audio tape recorder and transcribed from the tape.

The other four participants were machine-shorthand reporters: two typed their own manuscripts, and the other two dictated their notes for typists. In both phases of the experiment the machine-shorthand reporters simultaneously produced conventional paper tapes in addition to magnetic tapes bearing the same symbols. The taped information was fed through a computer programmed to produce a transcript.

**Results.** The final report of this experimental program includes a compendium of laws pertaining to courtroom transcription throughout the United States, description of tests conducted with results analyzed, an annotated bibliography on court reporting, and a handbook for court administrators containing statistics on approximate time required for the production of transcripts under each of the methods tested.

Preliminary results indicate that computer-aided transcription is technically feasible, although additional developmental effort appears to be necessary. It is also indicated that computer aids can be used by reporters of widely varying backgrounds but training and personalized adaptation of the system is required. The cost of the project was \$88,623.

## Office of Export Control

The Compliance Division of the Office of Export Control, Bureau of International Commerce, is responsible for enforcement of the Export Administration Act of 1969 (P.L. 92-150, as extended by P.L. 92-284). The act provides for criminal penalties, civil penalties, and administrative sanctions.

violation of international law is an offense for investigation under the act, and other willful attempts to avoid export control. Penalties for first offenses are a fine of not more than \$10,000, imprisonment for no longer than 1 year, or both; penalties increase for repeated violations.

For willfully exporting commodities or data contrary to the regulations implementing the act, with the knowledge that such export will be used for benefit of any Communist-dominated nation, penalties begin at five times the value of the items exported or a \$20,000 fine (whichever is greater) and imprisonment for not more than 5 years, or both.

**Enforcement.** Difficulties are encountered in enforcement because the majority of diversion of merchandise of United States origin to prohibited destinations occur in third countries and are brought to the attention of OEC after the fact. Foreign governments frequently do not provide assistance where their own laws and regulations have not been violated. The Compliance Division is further hampered by not having personnel overseas and having to rely on personnel of other agencies (usually the Department of State) to conduct necessary inquiries.

**Staff.** The Division staff consists of 33 persons, professional and clerical (excluding existing vacancies) with an annual budget of approximately \$558,000 (based on FY 1972). This includes salaries, travel, confidential funds, and a reimbursement to the Department of the Treasury for 2 man-years of investigative and enforcement activities by the Bureau of Customs.

The Export Clearance and Facilitation Division was consolidated with the Compliance Division on September 15, 1972, bringing the total staff to 37. Under a new, simplified export clearance system, to be instituted July 1, 1972, Commerce Department personnel will assume functions formerly performed by the Bureau of Customs. As a result, the workload and responsibility of the Division will be increased. It is anticipated that there will be a substantial increase in the Division's personnel and budget in FY 1973. The Bureau of Customs will continue to handle investigative assignments on a reimbursable basis.

**Activities.** The Division follows standard investigative techniques and principles and concentrates on the area of preventive enforcement. Through May 1972, the Division opened 144 investigations; 26 cases were referred to the Department's Office of General Counsel for administrative or criminal action; three cases were referred to the Department of Justice; 18 orders denying export privileges were issued involving 48 United States or foreign individuals or firms; and three civil penalties were levied in the total amount of \$2,550. In addition, one

Correctional Manpower Model, which seeks to bring together other State services and assistance from the private sector to assist prisoner rehabilitation under one "umbrella" program. Planning assistance is offered to the State through a contractual arrangement with the Department of Labor. During FY 1971, planning contracts were granted to Illinois and Maryland.

Two other offices of the Manpower Administration, the Office of Research and Development and the Bureau of Apprenticeship and Training, provide research and technical assistance, respectively, in the area of offender training and employment.

**Compensation benefits.** Since 1968, the Bureau of Employee's Compensation has administered a program of comprehensive benefits to non-Federal law enforcement officers who sustain injury or disease or are killed during circumstances involving a Federal crime.

## Labor-Management Services Administration

The law enforcement functions of the Labor-Management Services Administration (LMSA) derive from its administration of the Labor-Management Reporting and Disclosure Act of 1959, as amended (29 U.S.C. 401, *et seq.*) (LMRDA) and the Welfare and Pension Plans Disclosure Act, as amended (29 U.S.C. 301-309) (WPPDA).

Both acts provide criminal penalties for certain prohibited activities, although both are primarily designed for public disclosure. LMRDA requires annual financial reports from all labor unions and reports from union officers, employers, and labor consultants for activities specified as reportable by the act.

In addition, LMRDA requires that democratic procedures be followed in the conduct of union affairs and that union elections and the imposition of trusteeships follow prescribed procedures.

Embezzlement, unlawful payment of fines by an employer, prohibition against certain persons holding union office, extortionate picketing, and deprivation of rights by acts of violence were delegated by agreement to the Department of Justice for enforcement. Multiple violations involving concurrent jurisdiction are assigned by the U.S. attorneys to either LMSA or the Department of Justice.

WPPDA, as amended March 22, 1962, provides new criminal penalties under 18 U.S.C. as follows: section 644 prohibits theft or embezzlement from employee benefit plans; section 1027 prohibits false statements and concealment of facts in relation to documents required by the WPPDA; and section 1954 prohibits kickbacks to officers, counsels, agents, or employees of benefit plans.

## Audits and Investigations

LMSA conducts desk audits and field audits of union financial reports under LMRDA, and field investigations are conducted when audits indicate violations or when



Carpentry training for prison inmates.

complaints are received indicating that the act has been violated. During FY 1971, 49,345 union financial reports were processed. Approximately 3,340 field investigations were completed, including 126 involving union elections.

**Criminal sanctions.** Criminal sanctions may be imposed under LMRDA for filing false reports, falsification of union records, willful destruction of union records, and willful failure to file the required reports. This act also prohibits the union from paying the fine of any officer or employee convicted of any willful violation of this act and prohibits loans in excess of \$2,000 to officers or employees of the labor organization. There is also a prohibition with criminal penalties against persons holding union office who have been convicted of certain crimes.

LMRDA prohibits embezzlement of assets of a labor organization by any officer or employee. LMRDA amended the Labor Management Relations Act of 1917, relating to unlawful payments by employers to union officers and imposed criminal legal prohibitions against extortionate picketing and deprivation of rights by acts of violence.

**Benefit plans.** Desk audits are conducted concerning benefit plan reports; however, field audits are not conducted except at the specific request of the Department of Justice. Normally, complaints or desk audits which indicate possible criminal violations of WPPDA are forwarded to the Department of Justice for investigation.

Approximately 174,600 active employee benefit plans were on file with the Department of Labor under WPPDA as of June 30, 1971. During FY 1971, approximately 960 investigations were completed, about 800 of which involved delinquent or deficient reports. Most cases were disposed of through administrative action. Nineteen cases of apparent criminal violation were referred to the Department of Justice.

## Organized Crime

LMSA actively participates in the Federal effort against organized crime by staffing 17 Department of Justice strike forces with 89 field compliance officers. In addition, 33 professionals in the national office support the field activities of those compliance officers assigned to the strike forces. LMSA compliance officers, involved in the investigation of violations of LMRDA, WPPDA, and other labor-related Federal laws, are under the guidance of Department of Justice attorneys assigned to the strike forces.

In connection with LMSA participation in the strike forces, compliance officers working closely with agents of the other Federal investigative agencies and the strike force attorneys direct their activities towards individuals known or suspected to have connections with syndicated crime.

Labor racketeering activities are carefully investigated; results are compared with those of other Federal agencies. Consultations with strike force attorneys are held on a continuing basis and plans for development of the cases and prosecutive actions are closely coordinated with the strike force attorneys.

## Indictments and Convictions

During FY 1971, LMSA compliance officers conducted investigations which resulted in the indictment of 71 individuals and one corporation (including 40 individuals and the corporation as a result of strike force activity) and the conviction of 47 individuals (including 17 through strike forces). Eight individuals were acquitted and five indictments were dismissed. During FY 1971, 19 cases of apparent criminal violation of WPPDA were referred to the Department of Justice for further investigation and possible prosecution.

Several interesting cases developed during FY 1971 that are indicative of LMSA's contribution to the Federal anticrime program:

**Benefit plan kickbacks.** On February 16, 1971, a 36-count indictment was returned by a Federal grand jury in Chicago, Ill., charging Thomas A. Shaheen, Jr., Max Block, Jr., Joseph DePaola, and the Columbia Financial Corporation with violations of 18 U.S.C. 1954 (benefit plan kickbacks). The defendants were also charged with aiding and abetting and with conspiracy. Shaheen was the financial adviser to the Barbers' International Pension Fund and the principal officer in the Columbia Financial Corporation of Chevy Chase, Md. Max Block, Jr., is an attorney in New York, N.Y., and was an officer in Co-

Thomas A. Shaheen, Jr., left the United States and remains a fugitive. A warrant for his arrest on a charge of bond jumping is outstanding. Max Block, Jr., was acquitted by a jury on all charges. The union members have voted to dissolve the pension fund.

**Extortion.** On March 31, 1971, Calvin Stubbs, president of Local Union 124, United Construction and Trades Union, Detroit, Mich., and James Jackson, an employer, were indicted on charges of extortion of \$10,000 from the United Tenants for Collective Action, a sponsor of inner city housing projects. The defendants were charged with threatening to kill the organization's president and his attorney. Following a jury trial, Stubbs and Jackson were convicted on both counts. Stubbs was sentenced to 7 years imprisonment and Jackson to 5 years imprisonment.

**Conspiracy.** During FY 1971, the Cleveland, Ohio, strike force was instrumental in securing indictments in several significant cases investigated by LMSA compliance officers. William Presser, international vice president, International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers Union, and president of the Ohio Conference of Teamsters, Teamsters Joint Council 41, and Teamsters Local 550, Cleveland, Ohio, was indicted on July 23, 1970, on charges of conspiracy, aiding and abetting, and violation of the National Labor Relations Act of 1947, title 29 U.S.C. 186(b). A codefendant was James A. Franks, public relations director, Teamsters Joint Council 41. Presser and Franks were charged in connection with the solicitation of advertising in the *Ohio Journal*, a Joint Council magazine, published intermittently. On January 23, 1971, Presser pled guilty and was sentenced to pay a fine of \$12,000. Presser was not sent to jail because of his advanced age and poor health. Franks also pled guilty and was sentenced to pay a fine of \$24,000. He also was not confined because of poor health and advanced age.

## Costs of Activities

It is not possible to furnish actual cost figures involved in LMSA anticrime activity because field compliance officers, field administrators, and national office personnel are involved in all LMSA program activities, much of which are unrelated to anticrime efforts.

Administrative and regulatory responsibilities, as well as investigative functions unrelated to any criminal violations, comprise a large portion of the LMSA mission. For example, a large percentage of field activity and national office activity is devoted to the investigation of union election matters and the supervision of rerun elections.

The following breakdown of costs of LMSA anticrime programs is the best available estimate based upon information for FY 1971:

- ☐ Participation in Federal strike forces: FY 1969, \$300,000; FY 1970, \$662,353; FY 1971, \$2,739,000;
- ☐ Field investigations, desk audits, and reports review in connection with WPPDA violations: FY 1969, \$791,790; FY 1970, \$855,652; and FY 1971, \$842,775; and
- ☐ Enforcement of criminal provisions of LMRDA: FY 1969, \$2,370,859; FY 1970, \$2,257,288; and FY 1971, \$1,590,317.

Planning for FY 1972 called for participation in additional strike force operations and increased concentration on in-depth investigations of private pension plans. Budgetary restrictions recently imposed will curtail these additional programs.

## Office of Employment Development Programs

The Office of Employment Development Programs (OEDP), part of the Manpower Administration under the Assistant Secretary of Labor for Manpower, is involved in offender rehabilitation programs.

These programs were initiated in June 1967 with authority for 2 years under title II, section 251, of the Manpower Development and Training Act (MDTA), as amended in 1966. This authority was extended for 1 year with the 1968 amendments to the MDTA giving the program an expiration date of June 30, 1970. Since June 1970, the program has been continued under title II, section 202, of the MDTA.

Seven years of experimental, demonstration, research, and evaluation effort have provided strong evidence of the value of a comprehensive approach to employment and training problems of offenders. A balanced program of manpower services at each stage of the criminal justice system—pretrial, probation, incarceration, parole, and after release from the institution—should be stressed rather than sole concentration on inmate training.

Only a small portion of offenders are incarcerated—even for the most serious offenses. Most offenders are already in society, whether on bail, on probation, on parole, or in community-based correction systems. Since offenders may remain at one stage of the criminal justice system for long periods of time and may exit from the system at a number of points, it is vital that any program of effective offender rehabilitation provide op-

tions at each stage and offer a continuous sequence of services keyed to the flow of the offender through these systems.

## Correctional Manpower Efforts

**Funds.** Following is a summary of FY 1971 obligations for operational programs funded under MDTA.

	Proj- ects	Posi- tions	Funding level
Inmate training.....	52	4,500	\$6,661,091
Employment Service models.....	5		2,139,115
Pretrial intervention.....	8	4,225	3,645,751
Individual referral.....		200	442,195
Bonding.....			100,000
Research (operational related).....			500,000
Planning contracts.....			200,000
<b>Total.....</b>	<b>65</b>	<b>8,925</b>	<b>13,700,000</b>

## ART CLASS



Prison art class.

services, job development and placement services, and follow-up services. Experience and the results of the Pownall study (*Employment Problems of Released Prisoners*, 1965), funded by the Manpower Administration, indicate that training for prisoners has a limited effect when offered without other supportive services.

**Interagency effort.** The program has been administered jointly by the Manpower Administration, and the Office of Education, of the Department of Health, Education, and Welfare (HEW). Projects are developed at the local level by OEDP and the vocational education agencies. Development includes consultation with Law Enforcement Assistance Administration (LEAA) and State corrections officials. The Department of Labor assesses the need for training and provides allowances and other training benefits. HEW is responsible for classroom and skill training, basic education, improved communications and computation skills, and the preemployment orientation needed to make the enrollee employable. Approval and funding authority is with an interagency committee at the national level.

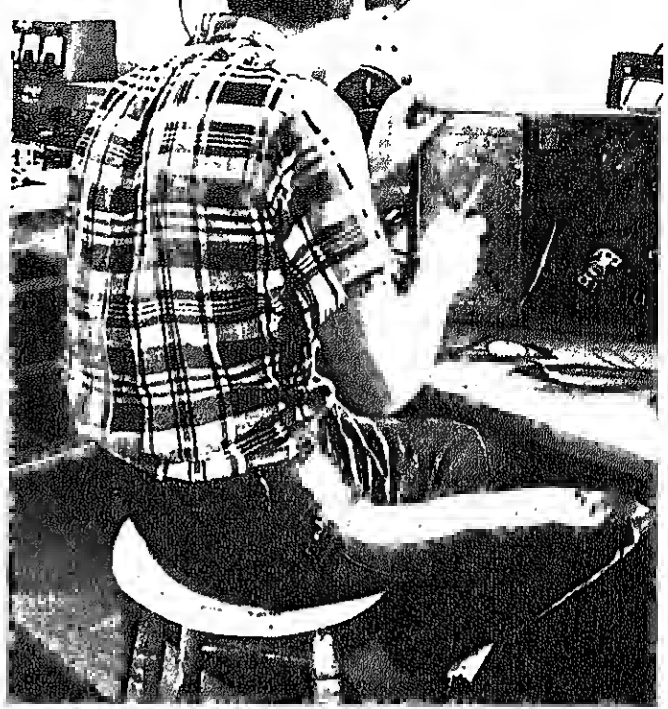
**Vocational training.** During FY 1971, the prison inmate program provided vocational training to over 4,500 inmates in 48 projects in such skills as welding, auto body repair, auto mechanics, electronics, office machine repair, drafting, upholstering, offset press, computer programming, animal training, deep sea diving, and heavy equipment operation.

**Prison staff.** The program has attempted to transform the attitudes of line staff security personnel by involving prison staff in the planning and operation of the training program, thus opening up new and effective lines of communication and understanding.

**Incentive allowances.** Another unique feature of this program has been the use of incentive allowances for inmate trainees and the use of the "gate money" concept for inmate trainees upon release. Under this attempt to determine whether a monetary incentive leads to better training performance, an inmate trainee's reserve fund is credited with a maximum of \$20 per week while in training. The incentive payment for an inmate trainee may be augmented by \$5 per dependent per week, with a maximum of \$30 augmentation.

**Examples.** Following are descriptions of two MDTA programs, one in Illinois and the other in Minnesota.

(1) In Cook County Jail, Chicago, Ill., MDTA training is sponsored by Programmed Activities for Correctional Education (PACE) Institute. Few men in Cook County Jail are there long enough for in-depth skill training. The program, set up along lines recommended by the State Employment Service, concentrates on literacy studies and work sampling of carpentry, auto repair, welding, and several other trades to help trainees determine natural aptitudes and interests. PACE studies are individual so that trainees may move at their own speeds from different starting points. Inmates are tested when



Prison inmates are trained in electronics.

they enter the jail, then individual study programs are worked out.

For advanced training, PACE students turn to facilities outside the jail. They may become regular MDTA trainees, but if all training slots are full when they are ready, they may fill one of the special openings which the State Employment Service has set aside for PACE. They can take such training immediately after release from the jail or, if permitted by the court, on work release while they are still serving time. Men on work release leave the jail daily to attend outside training. They receive \$15 a week for lunch and transportation and \$5 a week for "gate money" that is held in reserve until they leave jail.

(2) Before MDTA training came to the Federal Correctional Institution at Sandstone, Minn., in 1969, the prison had only one full-time vocational training program. Pine City Area Vocational-Technical School, 25 miles from the prison, is the contractor for the MDTA program. It received a grant to train 115 Sandstone inmates as production machine operators, carpenters, heavy equipment operators, small-engine repairmen, and construction electricians. The prison provides 10 hours a week of basic education and related instruction. Counseling, job development, and placement are handled by a Minnesota State Employment Service employee stationed at the prison.

While production machine operator courses were taught at the vocational school, at night the small engine repair, heavy equipment, and construction electrician classes were held at the prison. Special quarters were rented for the carpentry class in Hinkley, a nearby small town. These trainees, during the training period, built a picnic shelter in a village park, restrooms for an Ameri-

in vocational training programs; and

- ☐ The role of financial assistance as a rehabilitative tool for released prisoners.

**Foundation research.** The Rehabilitation Research Foundation is currently operating an experimental manpower laboratory in corrections at the Draper Correctional Institute in Elmore, Ala. The Foundation's experiment deals with several aspects of prisoner rehabilitation: employment barriers, desirable institutional changes, community adjustment, and use of mobility support funds. The Foundation is also carrying out an intensive training program for correctional officers in an attempt to reduce the gap between correctional officers and the inmates.

## Inmate Apprenticeship Training

For more than a decade, the Bureau of Apprenticeship and Training has consulted with and rendered technical services to correctional institutions regarding apprenticeship-type training and placement for inmates. In a few places, notably at the U.S. Penitentiary at McNeil Island, Wash., the Bureau of Apprenticeship and Training staff has been able to influence Joint Apprenticeship Councils to participate in training programs within institutions and to channel releases into formal apprenticeships.

## Bureau of Employee's Compensation

The Bureau of Employee's Compensation, part of the Employment Standards Administration under the Office of the Assistant Secretary for Employment Standards, administers compensation benefits to non-Federal law enforcement officers who are injured, sustain disease, or are killed under circumstances involving a Federal crime.

This program of benefits was enacted by Congress on April 19, 1968, as the Non-Federal Law Enforcement Officer Compensation Act (5 U.S.C. 819) *et seq.* in recognition of the assistance given the Federal Government by State and local law enforcement officers. The new law extended to those officers the benefits of the Federal Employees' Compensation Act (FECA).

**Provisions.** The law provides that where State or local compensation benefits for an injured officer (or his beneficiaries in the event of death) are less than that payable under compensation plans for Federal officers, additional compensation may be paid by the Bureau of Employee's Compensation (BEC).

Benefits are provided for any non-Federal law enforcement officer who is injured, sustains disease, or killed:

(1) While engaged in the apprehension of any person who has committed a crime against the United States, who at that time was sought by a law enforcement authority of the United States for a Federal crime, or who

- ☐ Designate the optimal methods of delivering the services;
- ☐ Secure the commitment of all potential public and private resources within the State; and
- ☐ Work out the interagency agreements necessary to accomplish that optimal plan.

A technical assistance contractor is available to assist the States in developing their plan.

**Benefits.** It is anticipated that vocational training, OEDP activities, pretrial intervention, and bonding will continue to be vital elements in these State models. Some of the benefits expected from these activities under the comprehensive model approach are:

- ☐ Fuller utilization of work and training release laws in conjunction with vocational training projects;
- ☐ Active involvement of State officials with the vocational training as it is being decentralized; and
- ☐ Modification of State personnel systems to provide methods for hiring ex-offenders and other nonrehabilitated individuals who do have required skills.

**Two projects.** Planning contracts were granted to Maryland and Illinois during FY 1971.

## Research

A number of research studies related to manpower and corrections were undertaken in FY 1971 and more were planned for FY 1972.

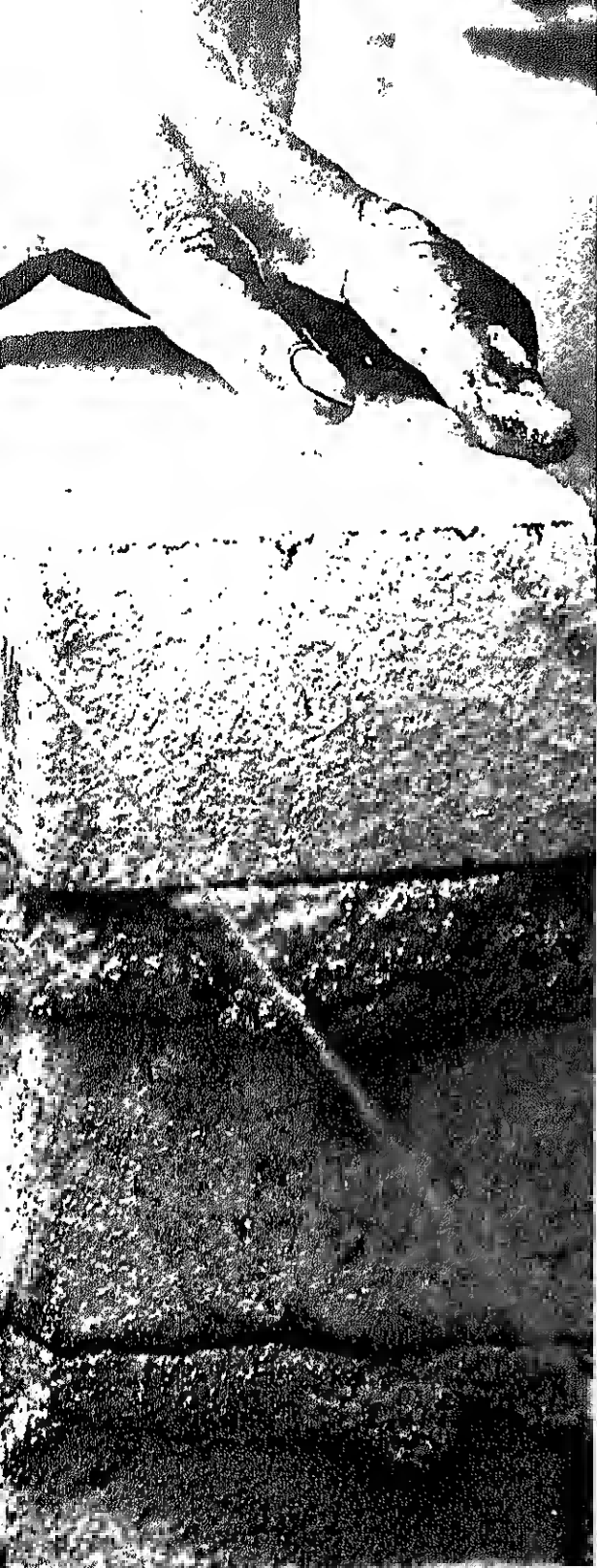
These studies were undertaken by the Office of Research and Development, Manpower Administration, or under contract from that office.

Descriptions follow of studies that were funded in FY 1971 and FY 1972.

**FY 1971.** Studies funded in FY 1971 were:

- ☐ National survey of work release laws, the extent of utilization by correctional departments, and impact on releases;
- ☐ Agency linkages in services to offenders;
- ☐ Effectiveness of a parole board liaison in coordinating release and completion of training; and
- ☐ Special employment-related needs of female short-term offenders.





at that time was a material witness in a criminal proceeding instituted by the United States;

(2) While engaged in protecting or guarding a person held for the commission of a Federal crime or as a material witness in connection with such a crime; or

(3) While engaged in the lawful prevention of, or lawful attempt to prevent, the commission of a crime against the United States.

**Benefits.** Under the program, benefits provided include medical care, compensation for temporary or permanent total disability, and death benefits paid to eligible dependents. A provision is also made for automatic increases in benefit payments for specified increases in the Consumer Price Index.

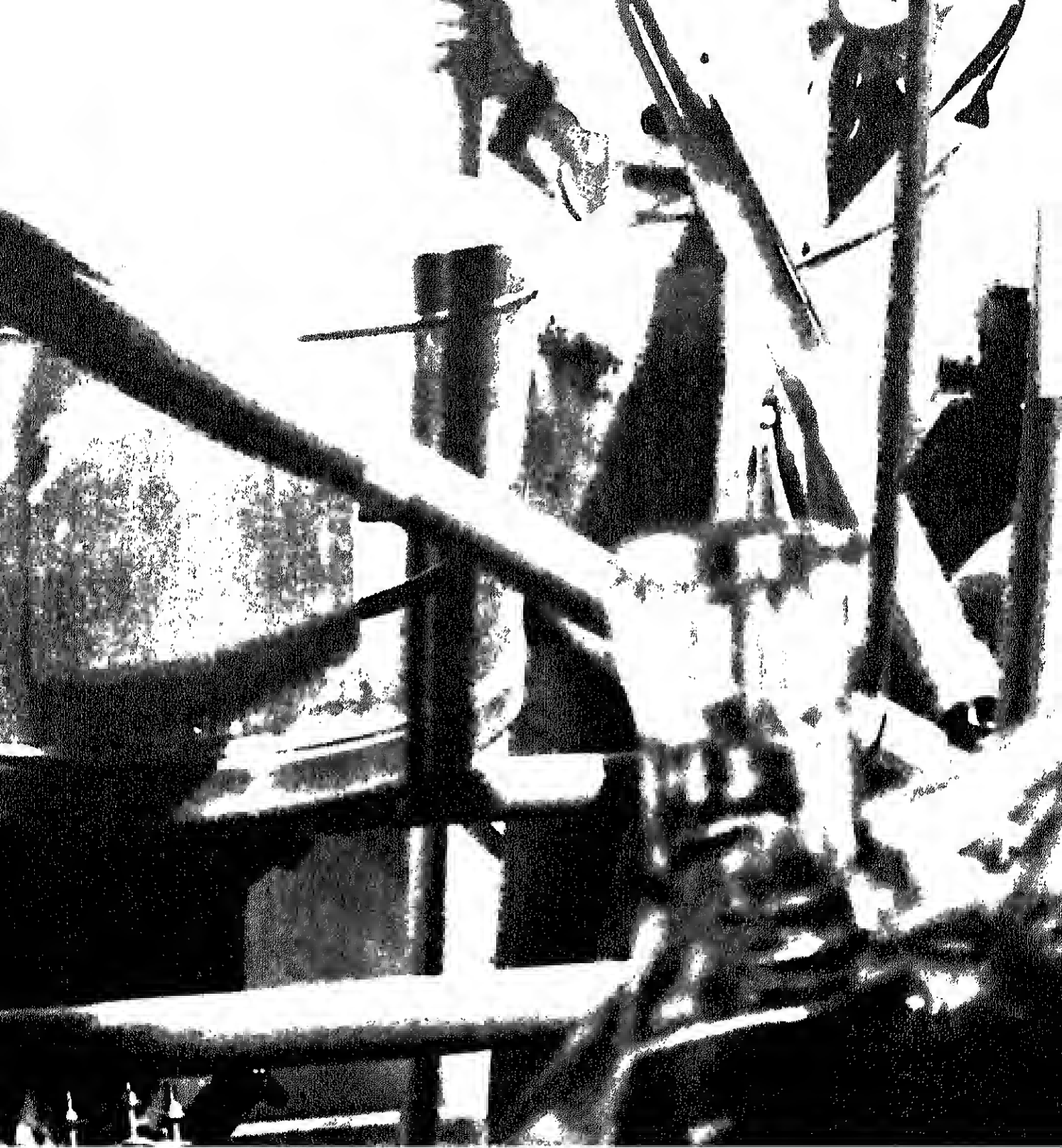
If an officer or eligible dependent is entitled to benefits from a State or local government as well as to benefits from the Federal Government, the Federal contribution must be reduced by the amount of local benefit which is proportionate to the percentage of contribution paid by the State or local government.

State and local officers or survivors have hearing, review, and appeal rights if they disagree with the final determination of the BEC. A hearing may be requested where an opportunity will be afforded to present evidence in further support of the claim. There is also a provision for additional review by the BEC and a right to appeal to the Employees' Compensation Appeals Board.

**FY 1971 cases.** In FY 1971, 30 new cases were added to the program, bringing the total of State or local law enforcement officers, or beneficiaries, entitled to compensation benefits to 81. The total amount of compensation paid in FY 1971 was \$79,571.

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Inmate learns bricklaying.



in addressing those and other concerns, HEW carries on the following activities:

It conducts scientific research into the causes and nature of criminal behavior. It administers the program under which narcotic addicts are civilly committed to the Surgeon General in lieu of imprisonment.

It maintains programs to improve the welfare of neglected and delinquent children in institutions.

It trains professional personnel in law enforcement and prevention fields.

It protects consumers from unsafe products shipped in interstate commerce.

And it investigates unlawful acts concerning administration of the Social Security program.

These programs are conducted within the general mission of HEW to administer those agencies of the Federal Government responsible for promoting the general welfare in health, education, and social security.

HEW was created by Reorganization Plan 1 of 1953 (67 Stat. 18; 5 U.S.C. 623).

## Major Activities

The major programs of HEW relating to Federal law enforcement and criminal justice assistance are conducted by several offices and agencies.

Summaries of those programs follow:

Office of Education vocational training programs are conducted at correctional institutions for inmates; some grants are made to train teachers for such programs. New curricular materials are being tested relating to employment requirements in criminal justice administration professions. This Office also establishes and improves library services at correctional institutions.

The Food and Drug Administration (FDA) is charged with protecting consumers from unsafe substances in consumer products shipped interstate. FDA maintains continuous inspection and surveillance. Willful and repeated violations of the laws FDA enforces carry criminal penalties.

The National Institute of Mental Health (NIMH) conducts basic and applied research into juvenile delinquency, crime, and related fields. Except for rehabilitation of narcotic addicts civilly committed to the Surgeon

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Scientist at the National Institute of Mental Health conducts research aimed at determining the effects of marijuana.

NIMH also funds independent research projects in this field.

The Youth Development and Delinquency Prevention Administration of HEW is charged with enforcement of the Juvenile Delinquency Prevention and Control Act of 1968. The Administration supports planning, programs, and community services; it also provides training grants for persons employed in or preparing for the fields of delinquency prevention, control, or rehabilitation.

The Social Security Administration refers to U.S. attorneys cases involving possible fraud, breach of confidentiality, or other activities which violate the Social Security Act and carry criminal penalties.

## National Institute of Mental Health

HEW conducts a program of sophisticated research into the causes of criminal conduct and other antisocial behavior.

Projects carried on under this program may be lumped together generally under the heading of studies in the prevention and control of crime and delinquency.

This program is administered by the National Institute of Mental Health (NIMH), which is part of the Health Services and Mental Health Administration, itself in turn part of the Public Health Service of HEW. The Health Services and Mental Health Administration is concerned primarily with development and delivery of physical and mental health services.

NIMH is authorized under P.L. 487 to conduct research on the cause, diagnosis, and treatment of psychiatric disorders. Part of its performance of that mission involves scientific investigation of the relationship, if any, between psychiatric disorder and criminal or other antisocial conduct. This research is conducted by NIMH in the Center for Studies of Crime and Delinquency.

**Background.** Until 1949, when Congress appropriated funds to create NIMH as a unit of the National Institutes of Health, the mental health program was administered by the Division of Mental Hygiene in the Public Health Service. The program provided for training grants to institutions and fellowships to individuals; it fostered and aided research related to psychiatric disorders; and, unlike previous health programs, it gave

in children; multiple sclerosis, epilepsy, psychomotor disorders, etiology and treatment of schizophrenia, genetics, and the role of the family in personality development.

To help develop a pool of teachers to pass along this knowledge, NIMH early training support went primarily to filling the needs for staff in departments of psychology, psychiatry, social work, and psychiatric nursing throughout the country. In addition, grants were awarded to educators in the mental health disciplines to explore methods and procedures for improving the quality of training.

**State aid.** In its early years, NIMH service activities were directed primarily toward helping the States set up their own mental health programs; treatment was centered in the State mental hospitals. This focus was redirected with congressional approval of the community mental health centers and provision of funds first for construction in 1963, and then for short-term staffing assistance in 1965. The community mental health centers program marked a dramatic shift in the treatment of the mentally disordered. By providing a multiservice facility in the community, mental health professionals could assist the emotionally troubled in leading useful lives outside hospital walls, and could direct their attention to preventing deviant behavior and societal disruption.

The support program of NIMH in juvenile delinquency, crime, and related activities is for basic and applied research, and for training of personnel. Except for rehabilitation of narcotic addicts, funds are not available for projects concerned essentially with providing services, but research and training efforts are largely determined by service needs.

## Center for Studies of Crime and Delinquency

The Center for Studies of Crime and Delinquency serves as the NIMH focal point for criminal justice activities. This is in concert with a Law Enforcement Assistance Administration (LEAA)-NIMH Liaison Committee that was established in September 1970. Center efforts encompass a wide range of issues relating to the areas of delinquency, crime, corrections, law and mental health, and the phenomena of individual violent behavior.

Efforts of the Center include basic research on the nature and causes of crime and delinquency; the development and better coordination of community resources directed at delinquency prevention and control; increasing utilization of community-based treatment and rehabilitative programs as suitable alternatives to incarceration; the development of innovative and more effective programs for offenders in institutions; the development of newer models for training professional and nonprofessional mental health, correctional, and related personnel; the provision of more effective services and the improvement of facilities for mentally disordered offenders through research on issues of law and mental health; the development of research in the area of individual violent behavior; more effective strategies for the dissemination and utilization of significant research findings; and the

communication of new knowledge through conferences, and direct consultation with regional and local groups.

**Resources.** Appropriations for NIMH in FY 1969 were \$386,016,000. Of this, \$17,923,925 was for research and training grants, research fellowships, research and professional service contracts directly with crime, delinquency, or closely related areas. An additional \$6,591,000 was allocated to the treatment of narcotic addicts through contracts under the Narcotic Addict Rehabilitation Act of 1966.

By comparison, \$11,618,614 of the FY 1969 appropriations of \$350,302,000 was spent on crime-related activities (\$4,295,000 on the NARA program and \$7,323,614 of the \$350,439,000 appropriated in FY 1969 was allocated for these activities on the NARA program).

## Research Projects

Projects directly related to crime and delinquency were supported by NIMH in FY 1971 in 162 research grants, 162 training grants, 18 research fellowships, and several research and professional contracts. An outline of these programs and a description of the NARA program, where the NIMH directs the rehabilitation of criminal offenders, follow.

The 113 research projects receiving NIMH support that were active in 1971 fall into six major research areas:

- (1) Thirty projects dealing with the nature and scope of law violations and related deviant behavior were supported at a cost of \$2,188,323. These included such basic and applied research projects as psychophysiological studies of hyperkinetic children; childhood emotional disorders and the home environment (EEG); postjuvenile delinquency in the birth cohort; adaptive behavior in varied environments; socialization of problem behavior; parental problem drinking and adolescent behavior; study of teenage drug behavior; and an analysis of factors influencing control of heroin addiction.

- Other projects included such studies as the transition into the group motivation and integration of drug addiction; prolonged amphetamine effects on the neurological bases of racial experiences and attitudes; ethnic relations in urban institutional settings; an experiment with an epidemiological field study of drug dependence.



Robert F. Kennedy Youth Center, Morgantown, W. Va.

(2) Fourteen projects studied community-based programs as alternatives to institutionalization. The majority of the projects were concerned primarily with juveniles; awards totaled \$1,354,569. Projects include an evaluation of differential treatment for delinquents; behavioral programs in learning activities for youth; an experiment with recreation in an urban poverty area; an evaluation of corrective behavior modification techniques in a community-based halfway house; and a study of the effectiveness of regulatory systems for problem youth. Also supported were a study of the use of subprofessionals, including ex-offenders, in the supervision of criminal offenders on probation and parole, and a study of the feasibility of developing community-controlled sanctions in an urban poverty area.

(3) Nineteen studies on innovative and efficient treatment approaches, supported at a cost of \$1,476,569, included differential treatment of delinquents in institutions; programming interpersonal curricula for adolescents; a comparative study of correctional institutions for female juvenile delinquents; a program of intervention in the homes of predelinquent boys; measurement of electrodermal activity of delinquents for therapeutic intervention; compulsory treatment for the alcoholic court offender; group psychotherapy for character disorder; the assessment of correctional climates; interpersonal relationships of prisoners; implosive therapy in the treatment of

alcoholics; and a controlled study of naloxone and narcotic abuse.

(4) Fourteen projects on mental health aspects of the criminal and juvenile justice systems, including the role of the police, were funded for \$1,020,603. These included a study of the juvenile offender and the law; research on predictive sentencing of habitual juvenile traffic offenders; an assessment of "unofficial" probation for juveniles; research on uniform parole reports; changes in role concepts of police as related to field experience; psychosocial implications of poverty and the law; ghetto attitudes toward law enforcement; and comparative research on law and conflict.

(5) Fifteen studies on law and mental health, including handling and treatment of the mentally disordered offender, were funded for \$1,251,496 and included such examples as experimenting with pretrial diversion of mentally ill offenders; establishing of an interdisciplinary unit to examine the question of competency to stand trial; improving a program for criminal psychopaths; activating therapy for chronic mental patients; and setting up a program of comprehensive treatment for maximum security patients.

(6) Twenty-seven projects in the area of prevention and treatment of aggression and individual violent behavior were funded for \$1,464,487. Studies are directed at karyotyping male children to obtain frequency figures for the XYY genetic phenomena in man; examining effects of film violence on juvenile delinquents; and study-

ing 1971-1972. The grants were given to assist in training personnel and researchers dealing with problems of delinquency, crime, and closely related social deviance. Projects fall into the following program categories:

**Mental health.** There were 132 training projects in this program area concerned with the training of mental health professionals who deal with problems associated with crime and delinquency. These areas included social work, psychiatry, psychology, psychiatric nursing, and hospital staffs.

There were 67 projects totaling \$3,102,407 related to training psychiatric, correctional, school, mental health, and community social workers. The training programs included classroom and field instruction in a variety of settings, such as social service agencies, corrections, juvenile courts, departments of probation and parole, police departments, community mental health centers, inner-city school districts, and neighborhood youth centers.

There were 44 training projects totaling \$3,049,601 in the areas of child, adolescent, adult, community, forensic, and legal psychiatry. Training included work with deviant behavior problems including drug abuse and alcoholism; race relations; marriage and family problems; field experience with law enforcement agencies, courts, and corrections; crisis detection and intervention; and early prevention and diagnosis of behavioral problems frequently associated with delinquent behavior.

The eight grants to support the training of psychologists in crime and delinquency fields included such programs as clinical training in diagnosis, test batteries, psychotherapy, behavior therapy, and community mental health programs. Awards totaled \$286,463. Field placements include corrections, community agencies, juvenile court, hospital clinics, and schools.

There were two grants to train psychiatric nurses handling adolescent crises, juvenile delinquency, mental retardation, drug abuse, alcoholism, and suicidal depression. Programs, funded for \$62,767, included community health care experience in addition to clinical experience.

There were 10 grants awarded to improve the quality of staff who care for mentally disordered offenders in security hospitals; awards totaled \$232,815. Programs included training for technicians in basic skills—interpersonal relationships, communication, leadership, and supervision—and concepts of attitude therapy, reality therapy, and behavior modification. Members of psychiatric teams consult with law enforcement officers, judges, and attorneys.

One grant of \$34,995 supported the training of community mental health administrators in social and environmental changes, community development, and public health problems including alcoholism, drug addiction, crime and delinquency, aging, and out-of-wedlock pregnancies.

**Behavioral sciences.** Sixteen grants totaling \$958,012 were awarded to support the training of behavioral and social science researchers in issues related to crime and

delinquency. Recipients of these training grants include sociologists, psychologists, and anthropologists. Areas included demography, human ecology, social science, criminal law, juvenile delinquency and youth problems, adult crime, mental retardation, suicide, mental illness, problems of ethnic relations, alcoholism, and abuse.

**Crime and delinquency.** There were 14 grants awarded that were related to innovative training models for police personnel and researchers in crime and delinquency related areas; awards totaled \$1,191,979. They include the training of ethnic youth as drug abuse counselors; training of law enforcement and religious counselors concerned with primary and secondary preventive approaches to adolescent drug abuse; psychiatric training for professional mental health workers to work with behavior problem youths; an interuniversity and multidisciplinary forum on law and social deviance; and a training program for police officers in techniques of violence reduction.

## Fellowships

There were 18 research fellowships totaling \$168,000 active during FY 1971, awarded for the graduate education of students in specific areas of crime and delinquency. Awards were made to persons in the behavioral and social sciences, biology, and the law to further their research methodological skills as they relate to areas of social deviance.

**Monographs.** There was \$82,595 expended in FY 1971 for the development and printing of monographs in specific areas of crime and delinquency. This included support for an evaluation of community-based treatment programs for juveniles.

## Division of Narcotic Addiction and Drug Abuse

NIMH efforts to curb the abuse of narcotics and drugs are centered in its Division of Narcotic Addiction and Drug Abuse. Formed in 1969, the Division includes the Center for Studies of Narcotics and Drug Abuse, the Narcotic Addict Rehabilitation Branch, the Addict Research Center, and the Lexington Clinical Research Center.

During FY 1971, the Division accelerated its activities in research, treatment and rehabilitation, and training and education. Among the highlights were the presentation of the first annual report to Congress on marijuana



Marijuana research facility at the National Institute of Mental Health.

and its effects on health, an extension of the Division's authority to treat drug-dependent individuals who are not yet addicts, the expansion of national training centers, and the awarding of the first educational grants under the Comprehensive Drug Abuse Prevention and Control Act of 1970.

## Research

The Center for Studies of Narcotics and Drug Abuse continued in FY 1971 to carry out a broad drug abuse research program. The program analyzed and evaluated ongoing research to determine progress and identify areas requiring development.

**Report on marijuana and health.** The first annual report on marijuana and health was sent to the Congress by the Secretary of HEW on February 1, 1971. The report represented an attempt to convey to the Congress the status of knowledge regarding the effects of marijuana on humans, the effects of preclinical studies in animals, the extent and pattern of usage, information on natural and synthetic materials, and research needs and directions. The report was based on a thorough review of the literature, recent reports from NIMH grantees and contractors, and consultation with leading scientists knowledgeable in the area. The report was also published by NIMH in booklet form for distribution to interested individuals.

Key findings include the following:

(1) During FY 1971, research on implications of short-term and long-term marijuana use on humans was emphasized. Two overseas studies dealing with the implications of chronic, long-term use were launched. The most comprehensive of these, carried out in Jamaica in close cooperation with the University of the West Indies, ex-

amined the physiological and psychiatric correlates of long-term marijuana use, as well as the implications of cannabis use for work performance and lifestyle. A Greek study, designed to learn the implications of heavy hashish usage over long periods, may provide valuable clues to areas of possible impairment in more moderate users.

(2) Studies of the clinical pharmacology of marijuana use were supported under contract and through grant support. Preliminary toxicological work necessary for carrying out clinical research in man with delta-9-THC (the presumed principal psychoactive ingredient in cannabis) was largely completed. The effect of use on a wide variety of variables including such practically important areas as driving behavior was investigated. Longer-term use (up to 30 days) of known dosages of cannabis was studied in man, and multiple studies using animal models were conducted.

**Narcotic antagonist.** At the Division's Addiction Research Center in Lexington, Ky., investigation of a new narcotic antagonist, EN-1639A (N-methylcyclopropyl-noroxymorphone) was underway. This antagonist is three times more potent than naloxone, has a duration of action of approximately 12 hours when administered subcutaneously, and can block the dependence-producing effects of 240 mg. of morphine per day when administered orally in a dose level of 50 mg. per day. Its minimal side effects make it a promising candidate among the narcotic antagonists for the treatment of certain addicts.

**Nonaddictive substances.** Considerable research was conducted to develop nonaddictive substances having the effects of opiates. Animal trials with an antagonist-polymer blend have shown definite promise of producing an antagonist which will have prolonged effectiveness for weeks rather than hours. A longer-acting form of methadone was also under chemical evaluation for those patients for whom some form of methadone maintenance appears to be the best treatment.

**Addiction in dogs.** Other researchers at the Addiction Research Center found that dogs that have been made dependent on morphine and withdrawn for up to 6 months relapse and choose to ingest morphine when given the opportunity. Dogs normally will avoid consuming morphine.

**Tryptamine.** Other investigations are being conducted at the Center on tryptamine, a substance discovered in the brain of the steer, dog, and man, which has been shown to have central nervous system effects similar to those of LSD. Researchers at the Center have proposed that LSD exerts its effects by occupying a tryptamine receptor. These



seriously impeded. There was also active coordination with and supply of drugs to other countries whose researchers are concerned with problems of drug abuse.

## NARA Program

Under the provisions of the Narcotic Addict Rehabilitation Act of 1966 (P.L. 89-793) (NARA), NIMH provides services for narcotic addicts who are civilly com-

WHEN I  
WAS 15 I GOT  
OLD SOMEONE  
GAVE ME MY FIRST  
SHOT. HE SAID  
THIS IS FOR LIFE.  
YAU? DONT YOU THINK  
KC

Graffiti at the NIMH narcotic addict rehabilitation facility in Lexington, Ky., before improvements were made in the addicts' living quarters.

mitted to the Surgeon General. Eligible addicts committed for examination and evaluation, treatment, and rehabilitation pay no fees.

Addicts who have committed certain crimes are not eligible under the provisions of the law. The initial determination of eligibility, made by the U.S. attorney whose jurisdiction includes the patient's home community, is contingent on the availability of local or State drug treatment programs. Where such programs are not available, the narcotic addict is referred to the NIMH program.

Title I of NARA covers narcotic addicts who are charged with certain nonviolent Federal offenses and who desire to be committed for treatment in lieu of prosecution. Title III covers narcotic addicts who are not charged with criminal offenses and who may themselves apply for commitment to treatment. The program offers medical, psychiatric, and rehabilitative services after a period of examination and evaluation. During an inpatient phase, not to exceed 6 months, total health need and restorative treatment are emphasized; additional special efforts are made to assure a desire for a change in lifestyle upon release to aftercare.

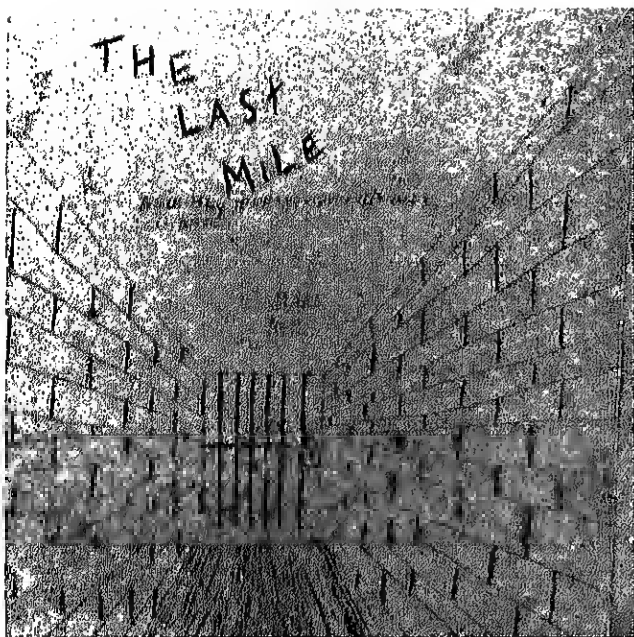
**Goal.** The 36-month period of aftercare occurs in the patient's home community. Total rehabilitation is the goal. Work skills, socially acceptable behavior, and the assumption of responsibility for behavior are emphasized. Regular testing of urine is a part of the treatment to give both patient and counselor objective data regarding drug-taking behavior.



Patient works on pottery at the NIMH Lexington Clinical Research Center for narcotics addicts.

**Contracts.** By the end of FY 1971, approximately 165 contracts were awarded to local mental health, family service, vocational rehabilitation, and other agencies for the treatment of narcotic addicts committed to the care of the Surgeon General. These contracts provided a wide range of services in 153 cities and 44 States. On June 30, 1971, there were 2,078 patients in the program, an increase of 420 patients over the previous year.

Efforts during the year to redirect services from the Clinical Research Centers to local facilities in the addicts' home communities resulted in the extension of 42 aftercare contracts to provide examination and evaluation and 19 contracts to provide inpatient treatment.



Lexington graffiti.

During the year, 629 examinations, representing twice the number in the previous year, were conducted in 29 community agencies; and 106 patients, five times the previous year's number, received inpatient treatment in nine community agencies. The additional examination and treatment agencies will be fully utilized during the coming year.

**Admissions.** At the end of FY 1971, 526 patients remained in the two NIMH Clinical Research Centers at Lexington, Ky., and Fort Worth, Tex. These patients, among the 2,078 remaining in the entire NARA program at year's end, were undergoing either examination and evaluation or inpatient treatment in the first phase of the rehabilitation program. First admissions to the two Centers declined from 2,585 in FY 1970 to 1,747 in FY 1971, but admissions to the NARA community-based facilities increased from 277 in FY 1970 to 635 in FY 1971.

Despite this increase in community examination and evaluations, there were approximately 500 fewer admissions to the NARA program in FY 1971; however, patients entering aftercare and posthospitalization increased from 756 in FY 1970 to 931 in FY 1971. While the total number remaining in the program is still increasing, the program size is expected to stabilize at about 2,500. In the coming year, an increasing number of these patients will undergo examination and evaluation and inpatient

treatment in local health agencies in the patients' own communities.

**Fort Worth facility.** The shift in activities from the Clinical Research Centers to the community was given impetus by the transfer of the Fort Worth facility from NIMH to the Bureau of Prisons, Department of Justice. The transfer, announced on January 29, 1971, was completed in October 1971. The Bureau of Prisons will use the Fort Worth installation as a medical facility for treating prisoner narcotic addicts (under title II of NARA), geriatric patients, and individuals undergoing post-surgical rehabilitation. Patients who were committed to Fort Worth under NARA titles I and III completed their inpatient treatment there and were then transferred to NIMH-supported community programs for further treatment and rehabilitation. Addicts who would have entered Fort Worth under titles I and III are now undergoing examination and treatment in their own or nearby communities in agencies under contract with NIMH.

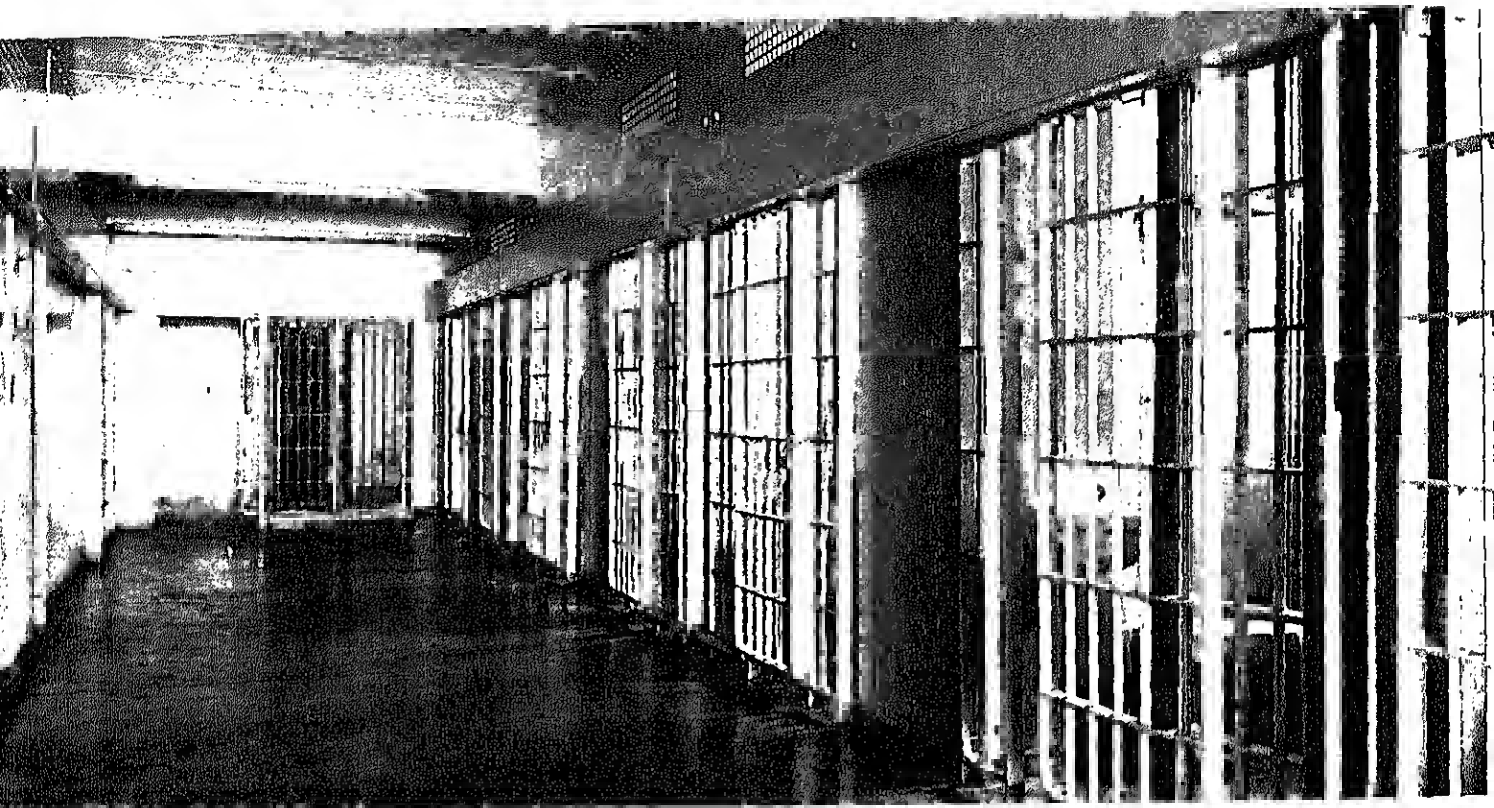
The transfer of the Fort Worth facility is in keeping with the overall NIMH goal of supporting the development of State and local capabilities to deal with narcotic addiction and drug abuse. It has long been felt by those working in the field that it is impractical to take an addict out of his environment and send him to a faraway, isolated facility for a considerable period. It is less disruptive to the treatment process and the addict's personal life and it is less costly to have the whole rehabilitation effort take place at the community level.

## Treatment and Rehabilitation

During FY 1971, the single event which most affected the narcotic addict treatment and rehabilitation programs was the passage of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513). This act broadened the scope of all existing community-based treatment programs; it authorized all such programs to accept for treatment abusers of drugs other than opiates. (The law did not affect the civil commitment procedure, which still is solely for opiate-dependent individuals.) In addition, the act authorized the funding of Drug Abuse Services Projects, permitting the initiation of innovative services which are designed to meet the special needs of different segments of the population.

## Training and Education

During FY 1971, three specialized training centers were developed to provide training in drug abuse prevention,



Cells (above) which were once living quarters at Lexington Clinical Research Center have now been replaced by hospital-like rooms.

treatment, and rehabilitation techniques. By the end of FY 1971, more than 1,500 health, educational, law enforcement, social-service, community, and agency personnel had been trained in 1- and 2-week courses at these training centers, located at Yale University Medical School, California State College, and the University of Oklahoma. The program subsequently expanded to include a fourth center in Miami, Fla.

Both classroom lectures and participation in treatment programs for drug abuse were offered. Prior to the establishment of these centers, there were no readily available federally sponsored training courses for health and social-service personnel and community leaders in drug abuse prevention and intervention techniques.

During FY 1971, a new grant program was administered under the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513). This law authorizes NIMH to award grants to States and public or private nonprofit agencies and organizations for the support of drug abuse education, training, technical assistance, and evaluation projects. Thirteen grants totaling



## Office of Communications

Communications activities of the National Institute of Mental Health are centered in the Office of Communications (OC), and are related to crime prevention and control to the same extent as the NIMH programs they serve.

As the focal point in NIMH for answering questions from the press and general public, the Office acts as an intermediary between scientists and laymen by determining information needs and producing and distributing materials—technical and scientific publications, news releases, brochures, and films.

Much of the information disseminated by OC sheds light on the motivations and consequences of criminal and other antisocial behavior. Psychological and behavioral aspects of such subjects as drug and alcohol abuse, mass violence, suicide, the mentally deranged offender, and the victim of crime are described in both technical and lay language in NIMH-produced materials.

A computer-based information system, operated by the Office's National Clearinghouse for Mental Health Information, makes abstracts of books and articles on the same subjects available on request to scientists and laymen. Crime-related information from the computer files is also available to professionals with a continuing interest through the bimonthly publication, *Crime and Delinquency Abstracts*.

The Office of Communications cooperates with the NIMH Center for Studies of Crime and Delinquency in publishing other materials directly related to crime prevention and control. Among those published in FY 1971 were: *Instead of Court: Diversion from the Criminal Justice System*, *Criminal Statistics*, *The Juvenile Court: A Status Report*, *Crime and Justice: American Style*.

The central source of information on drug abuse is the National Clearinghouse for Drug Abuse Information, a branch of the Office of Communications which was established in March 1970. Between June 1970 and March 1971, the Clearinghouse answered more than a half million queries from the public.

The Clearinghouse also provides information on the legal aspects of drug abuse: summaries of drug laws in other countries, a list of State laws on use and possession of marijuana, and printouts of information stored in its computer data bank on law and public policy, prevention and treatment programs, and other professional drug-related literature. In addition, it distributes fact sheets and statistics on arrests and drug confiscations compiled by the Bureau of Narcotics and Dangerous Drugs.

## NIMH Liaison Activities

To understand more fully the relationship of mental health to problems of delinquency, crime, and violence, NIMH has established a number of liaison activities with other agencies involved with these problems.

The Center for Studies of Crime and Delinquency, for example, works closely with the National Institute of Law Enforcement and Criminal Justice (part of LEAA), to identify and clarify areas of mutual concern. Over the past year, such contacts have resulted in the referral of

up a number of cases for developing and implementing a national strategy for delinquency prevention. Over the past year, NIMH staff members have worked with a number of these groups, especially on evaluation of these programs.

Another important interagency effort was the establishing in September 1970 of the LEAA-NIMH Liaison Committee. The committee is composed of high-level staff from each agency, including the Director of NIMH and an Associate Administrator of LEAA. In frequent meetings during the past year, it has established working subcommittees on drug abuse, alcoholism, and information exchange.

As part of its work with LEAA, NIMH has attempted to collate knowledge of State mental health authorities, regional health directors, and regional mental health directors regarding their experience with local law enforcement agencies and LEAA. Responses to a letter of inquiry confirmed that much activity was in progress and that it was of such a nature that areas of concern and progress could be delineated.

## Youth Development and Delinquency Prevention Administration

The mission of providing rehabilitative services to delinquent youth and guidance to youth in danger of becoming delinquent is assigned to the Youth Development and Delinquency Prevention Administration (YDDPA).

YDDPA administers a program of grants and contracts designed to help State and local governments improve their juvenile justice systems and provide diagnostic, treatment, rehabilitation, and prevention services for delinquent and predelinquent youth.

Congress authorized such programs in the Juvenile Delinquency Prevention and Control Act of 1968 (82 Stat. 462; 42 U.S.C. 3801 note), as amended. YDDPA is part of the Social and Rehabilitation Service of HEW.

## Background

The purpose of the act is to assist communities in providing diagnostic, treatment, rehabilitative, and preventive services to youth who are delinquent or in danger of becoming delinquent; to encourage the development of community-based rehabilitation and prevention programs; and to provide assistance in the training of personnel employed or preparing for employment in occupations involving the provision of such services. The act supports comprehensive planning, development of improved techniques, and provision of information services and technical assistance in the field of youth development and delinquency prevention.

The act takes a community-based approach to rehabilitation and prevention. It fosters programs to provide services to youth in or near their homes, drawing upon services from agencies in the community and providing opportunities for the youth to participate actively in the planning and implementation of community programs.

of the program through the act. The changes: the Federal share for rehabilitation grants was raised from 60 to 75 percent; nonprofit private agencies were made eligible for rehabilitation grants; and an interdepartmental council to coordinate all Federal delinquency programs was established.

The FY 1972 appropriation is \$10 million. Past appropriations were \$15 million in FY 1971, \$10 million in FY 1970, and \$5 million in FY 1969.

## Comprehensive Planning

Title I, part A, of the act provides financial assistance for States and local cities to prepare comprehensive plans for preventing and controlling delinquency. The planning money enables the States and localities to analyze the nature and extent of their juvenile delinquency and related youth problems, assess the adequacy of existing services and identify inadequacies, and develop networks of preventive and rehabilitative programs.

Comprehensive planning grants have been awarded for the past 3 fiscal years. All but three of the 56 States and jurisdictions have received planning grants. Arizona, Rhode Island, and Texas chose to conduct their planning with Law Enforcement Assistance Administration (LEAA) funds, and use YDDPA funds to support prevention and rehabilitation programs. Two regional planning grants, however, were awarded in Texas in FY 1970. Fifty of the 56 jurisdictions designated a single State agency to conduct both juvenile delinquency and crime control planning. The remaining six jurisdictions—Alabama, Colorado, Florida, New Jersey, Oklahoma, and the District of Columbia—elected to establish separate juvenile delinquency planning agencies.

States have developed different mechanisms for involving youth in the planning process. One State advisory board membership, for example, includes three graduates of the State training schools; membership on another State board includes two inner-city and one suburban youth; two high school students and two institutionalized delinquent youths are represented in another State; and another State board's membership includes one Indian youth, an ex-offender, and a probationer.

One State, which has no advisory body, has extensively interviewed youths, including elementary, junior, and senior high school students, juvenile court probationers, and college students.

Of special interest is the regional approach to planning underway by the Mississippi-Arkansas-Tennessee Council of Governments in the Memphis Metropolitan Area. The effort is directed at identifying juvenile delinquency and its causes, and mobilizing public and private prevention and control resources in the three-State area.

Thirty-eight comprehensive planning grants were awarded in FY 1971, totaling \$2,096,767.

## Project Planning

Title I, part A, of the act also provides planning and development funds for rehabilitation and prevention projects which will later receive operational funds under the act. New community-based or revised programs for delin-

quency are being developed by the act. The act also provides for them determining for themselves how they will think their future, in Massachusetts.

## Rehabilitative Services

Title I, part B, of the act supports community-based rehabilitation programs. Such programs can be either residential or nonresidential. They provide services to youth within the community and draw on services from community agencies.

Services include reentry programs for youths returning to the community from correctional institutions and specialized services to probationers through the use of volunteers.

In FY 1971, 18 rehabilitative services grants were funded at a cost of \$634,256.

One example of a successful rehabilitation project is the Partners, a volunteer probation service for selected male offenders in Anchorage and Fairbanks, Alaska. Trained volunteers, under professional supervision, work on a one-to-one basis with the youths. The object is to provide more intensive services to the youth to break down community rejection of the delinquent. More than 155 probationers have been matched with volunteers during the first 2 years of the project. It is estimated that an additional 140 probationers will be served each year statewide.

REACT, a drop-in center in Richmond, Va., offers a wide range of services to delinquent and pre-delinquent youth. Comprehensive social, educational, vocational, and rehabilitative services are provided on an individual basis, and referrals are made to appropriate community agencies and programs. Peer groups and friends serve as the source of referral to the project, which has established strong links with community agencies, schools, and juvenile court. Youths participate in the operation of the project through the Youth Advisory Council. During the first 4 months of operation, 144 youths were served.

## Preventive Services

Title I, part C, of the act supports development of a wide range of community-based services for young people, including delinquency prevention programs in schools, youth services bureaus, drop-in centers, group homes, halfway houses, social and recreation activities, out-of-home care, probation offices, and vocational training.

In FY 1971, 121 preventive services grants were awarded for a total of \$6,524,062.

A preventive service project operated by the County Community Center, Inc., Jackson, Miss., helps young people remain in school or enter training for permanent employment. Informal counseling is provided in homes, schools, playgrounds, and clubhouses. Referrals are received from law enforcement officials, antipoverty programs, local agencies, school administrators, community resources, and parents. The job training, at present, is provided by the Job Corps and other local programs.



A college placement office has been established also. Through referral, the program provides medical, psychiatric, and legal services. It provides lodging and counseling services in a halfway house. Over 350 youths have been served thus far.

## State Plan

Under title I, part D, of the act, State planning grants are awarded to the designated State agency to assist in supporting local prevention and rehabilitation programs.

## Training

Title II of the act provides training grants for persons employed in or preparing for employment in the field of delinquency prevention, control, treatment, and rehabilitation. It is the only major national effort devoted exclusively to creating manpower resources to combat the problem of juvenile delinquency. State and local agencies, universities, components of the juvenile justice system, and private nonprofit agencies are eligible to receive training grants. Support also is provided for counseling of parents to improve their supervision of youth.

Training grants are divided into three basic categories: short-term training, curriculum development, and traineeships. Forty-three training grants, totaling \$2,530,000, were funded in FY 1971.

**Short-term training.** Short-term training—workshops, institutes, and seminars—is designed to update the knowledge of professionals and nonprofessionals, and provide career training for persons preparing to enter youth-service employments.

Trainees include professionals and students in law enforcement, probation, parole, detention, residential treatment, and education.

In FY 1971, 36 short-term training grants were awarded, totaling \$2,269,262.

The Community Justice Center, Los Angeles, Calif., trains young minority men and women—who are actual or potential delinquents—to perform meaningful roles in the juvenile justice system and to assist juvenile offenders. The training is divided into basic, academic, and on-the-job training in the California Youth Authority Parole Centers and the Los Angeles Probation Department. Thirteen trainees are currently enrolled in the program.

Under another grant, the University of Oregon is training graduate students to train teachers to restructure schools and involve youths in educational decisions.

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Sports are part of a youth development program in New Haven, Conn., supported by the Youth Development and Delinquency Prevention Administration.



Five education and juvenile corrections students are participating.

**Curriculum development.** Curriculum development grants are for development of relevant delinquency prevention training materials. The grants are designed to fill gaps in present knowledge and develop new approaches to training. A variety of training materials have been produced, including manuals, syllabuses, guidelines for designing programs for youth, reference books, and visual aids.

Five curriculum development grants were supported in FY 1971, totaling \$131,318. The University of Southern California, for example, is developing and evaluating a new curriculum for administrators of juvenile police programs. The content stresses organization, management, and effective methods of coordinating services in the criminal justice system. The materials will be tested on two 20-student classes.

**Traineeships.** Traineeships are designed to increase qualified manpower in juvenile delinquency prevention and rehabilitation. Traineeships are awarded for specialized credit or noncredit training in approved colleges and universities, and are primarily intended for persons employed by agencies or organizations serving youth.

Two traineeships were funded in FY 1971 to the Marywood School of Social Work in the amount of \$129,420 for training 10 social work graduate students. The training program combines field work in youth agencies and elective courses related to delinquency prevention, control, and treatment.

## Model Programs and Technical Assistance

Title III of the act provides support for improving techniques and practices in the field of delinquency prevention and control, for technical assistance, and for information dissemination.

**Improved techniques.** Assistance is provided to develop promising new techniques and practices to prevent or control juvenile delinquency. The projects are required to have a strong evaluation component.

Nine new techniques and practices grants, totaling \$1,461,781, were funded in FY 1971.

A new-techniques program in New York City, conducted by Cornell University, uses trade union members as vocational counselors to assist high school students in finding employment in particular industries. The union

the characteristics of different industries and the skills they require. Thirty-three unions participated in the project during its first year of operation; visits were made to 23 schools.

**Technical assistance.** Title III also provides support for expert technical assistance to State, local, and other public or private nonprofit agencies or organizations. Technical assistance was provided in three main areas last year: delinquency prevention, rehabilitation, and planning



An off-duty police officer teaches a crafts class to members of the Phoenix, Ariz., Boys Club.

funded under title I of the act; planning, development, and implementation of coordinated delinquency-prevention systems; and development of overall evaluation plans for the systems projects.

Technical assistance grants, totaling \$778,959, were awarded in FY 1971, to the University of Southern California, the University of Colorado, Florida State University, Boston University School of Law, Fordham University, the University of Oregon, and Educational Systems Corporation (a nonprofit organization), Washington, D.C.

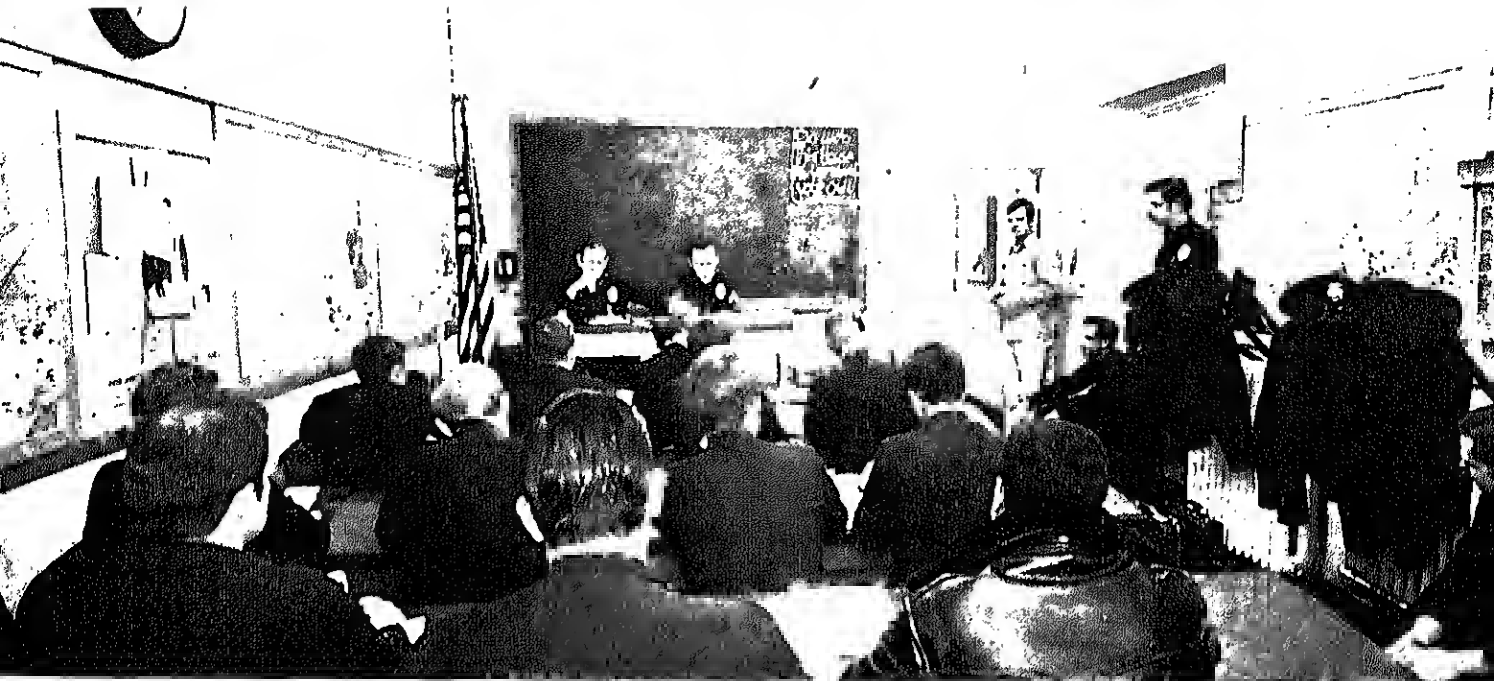
**Information services.** As mandated by section 304 of the act, the YDDPA Public Information Office carried out a program designed to provide youth-service professionals and the general public with materials to help youths and prevent delinquency.

During FY 1971, 12 publications were issued. Topics included drug abuse, jailing children, programs to aid youth, and the juvenile justice system. Emphasis was placed on materials designed to divert boys and girls from the juvenile justice system.

Special delinquency prevention reports also were published. They were designed to give professional youth workers information on new techniques and ideas for helping youngsters. Issues included: probation, emergency youth service, new careers, drug abuse, student violence, gangs, and a strategy for delinquency prevention.

The Public Information Office also conducted 10 regional seminars to train information personnel in State youth agencies in mass communication techniques and encourage the development of an information-exchange network among Federal and State programs.





Police training class in the Los Angeles Police Department.

## Office of Education

Education programs for delinquents and inmates of correctional institutions, and grants for training police officers and counselors who work with such individuals, are among programs carried on by the Office of Education (OE) in the field of law enforcement and criminal justice.

OE also conducts a research program related to employment requirements in justice-administration professions and it carries on a nationwide program of support for libraries in State institutions, including correctional institutions.

OE was created by an act of Congress in 1867 (14 Stat. 434; 20 U.S.C. 1). It became a constituent agency of HEW in 1953.

Descriptions follow of OE programs relating to Federal law enforcement and criminal justice assistance.

## Personnel Development

Several relevant programs are conducted by the Bureau of Educational Personnel Development (BEPD). This Bureau administers the Education Professions Development Act of 1967 (except for part E). It also operates the Teacher Corps.

**Training.** Federal funding of educational programs for disadvantaged children was expanded in late 1966 under P.J. 89-750 to include services to improve the education of neglected and delinquent children in institutions.

In FY 1971, BEPD funded three regional centers: the center at the Department of Juvenile Corrections of the North Carolina Department of Education, Raleigh, N.C.; the Center for the Study of Crime, Delinquency, and Corrections at Southern Illinois University, Edwardsville, Ill.; and the center at the Western Interstate Commission for Higher Education, Boulder, Colo.

The project, started in FY 1970 jointly with the Bureau of Elementary and Secondary Education, is now funded fully by BEPD. With FY 1971 funding of \$336,000, the centers, working with local agencies, initiated training at 24 institutions in 16 States. Models include community awareness and human development training and the retraining of staff to use such new treatment approaches as behavior modification, differential treatment, and team treatment.

**Teacher Corps.** In FY 1971, three corrections projects—in Illinois, Georgia, and Connecticut—completed their second year, and two new projects were started. One new project is at the University of Southern California, with Teacher Corps teams in Los Angeles Juvenile Probation Department institutional schools and several continuation schools. Continuation schools serve delinquents and

tion. They focus on bringing new approaches to treatment and counseling delinquents and youths with serious behavior problems.

## Institutions for Delinquents

The Bureau of Elementary and Secondary Education (BESÉ) operates several programs dealing with institutions for delinquents.

Formula grants, under P.L. 89-750, are allocated to State educational agencies by BESE to provide programs and activities for delinquent children in institutions. Delinquent children coming to institutions are usually 2 to 4 years behind their peers in educational attainment; most programs, therefore, concentrate on remedial instruction. Funds also buy health services, cultural enrichment, counseling, and staff development.

In FY 1971, \$16,429,824 was allocated for programs serving 44,167 children in 245 State institutions for delinquents. In FY 1970, \$14,338,580 was allocated for 42,977 children in 227 institutions and \$12,459,014 in FY 1969 for 41,163 children in 216 institutions. Federal staff totaled 1.75 professional and 0.5 clerical persons.

From trends through FY 1970 and spot reporting for FY 1971, BESE estimates students are now averaging just under 1.5 years in academic attainment for each year in the program. Student-teacher ratios are moving steadily toward an average of fewer than 20-to-1. The number of guidance personnel and aides employed is also mounting, and use of newer teaching techniques is increasing with the number of educational activities.

Certain concepts initiated and encouraged at the Federal level have been picked up by several States. One of these is the inclusion of the State education agency, the State agency administering institutions for delinquents, the Federal Government, and representatives of the institutionalized children in educational planning. Another is the development of a formal needs assessment document by each institution. A third is the development of an exchange teacher program between institutional and public school staff.

## Drug Abuse Education

In accordance with President Nixon's statement on March 11, 1970, outlining a range of Federal action aimed at the drug abuse problem, the Bureau of Educational Personnel Development (BEPD) of OE created the National Drug Education Training Program (NDETP).

The program began with the formation of a leadership group representing multiple disciplines to provide both guidance and technical assistance, and the implementation of a "multiplier" program of training—State, county, local—to permit limited resources to affect the greatest possible number.

**NAC.** The first step in the program was the establishment of a Leadership Training Institute. This group, known as the National Action Committee (NAC), was formed

to develop details of the program with representatives of the States and, subsequently, four National Training Centers were established for the training of the States during the summer of 1970. From this start, the program multiplied so that it affected more than 415,000 163 percent of whom were young people in both the teacher and learner roles.

OE put \$4.2 million into this starter program, training program is now funded by the Drug Abuse Education Act (P.L. 91-527) which authorized \$58 million over a 3-year period for drug education. In FY 1971, \$13 million was appropriated for OE to carry out the provisions of the act. In FY 1972, \$13 million was appropriated for the program.

In FY 1971, during the first year of the program, funded 29 community projects with \$2,341,000, 10 college-based projects with \$659,000. In addition, 10 school-community projects were supported by \$1 million in funds appropriated under title III—Elementary Educational Centers and Services—of the Elementary and Secondary Education Act of 1965 (89-10). These projects have been funded as demonstration projects from which the program could learn about the process of school-community and community cooperation in the drug abuse education program. In all instances, the attempt was made to promote an integrated approach which would include all segments of the community; for example, school programs were urged to involve community, and community programs were urged to involve the schools.

**Community program.** In FY 1972 an experimental program, "Help Communities Help Themselves," was inaugurated. It will award approximately 820 grants (\$2,000-\$6,000) to pay for training teams of five individuals at one of eight training resource centers. Teams will be provided followup technical assistance as they develop comprehensive plans tailored to their communities and their problems. In FY 1972, the continuation of grants to 55 States and territories through State education agencies to provide training and technical assistance at the local school-community level program was initiated in FY 1970. In FY 1972, six of the 29 community and 18 college-based projects initiated in FY 1972 on a pilot basis, was continued.

## University Community Services

The Bureau of Higher Education (BHE) operates several relevant programs in carrying out its mission of reporting and assisting higher education.

The University Community Services program, administered by BHE, provides grants to States to strengthen college and university programs that aim at solving community problems.

Funds distributed to the States must be matched on a two-thirds Federal, one-third State-local basis. The program is administered by a State agency under a plan approved by the Commissioner of Education. The agency solicits, approves, and funds proposals from colleges and universities.



Crime prevention was given a relatively high priority during the first 3 fiscal years (1966-1969) of this activity. But with enactment of the Omnibus Crime Control and Safe Streets Act of 1968, which includes a major funding program for law enforcement education, many of the funds that had been going into crime prevention were applied to other priority areas.

Appropriations were \$9.5 million each fiscal year 1969, 1970, and 1971. The portion applied to crime prevention declined during the same period from about 10 percent to a little more than 3 percent.

Higher education projects have included seminars for police officers who deal with juveniles, police training in group and individual psychology, an institute for the public defense of indigent criminals, and extension courses for inmates of correctional institutions.

## Vocational and Technical Education

The Bureau of Adult, Vocational, and Technical Education (BAVTE) operates a number of relevant programs in carrying out its mission of assisting States in the area of vocational and technical education and education of adults.

Under the Vocational Education Act and amendments, secondary and post-secondary students, high school graduates, dropouts, and those with educational, sociological, and other handicaps may obtain training in recognized occupations. States are generally required to match Federal funds dollar for dollar.

Programs operated by BAVTE include the Law Enforcement Training and Police Science Technology program; vocational training for inmates of correctional institutions; training for persons working with adults in prisons; and education for adult inmates of prisons who have not completed high school.

**Funding.** Estimated Federal funding for the Law Enforcement Training and Police Science Technology program for FY 1971, was \$2.5 million; approximately 73,400 students were enrolled. Outlays in FY 1970 were \$2 million for 66,700 enrolled students and, in FY 1969, \$1.5 million for 54,000 students.

Although Law Enforcement Training and Police Science Technology are offered at the secondary level, most training takes place in community colleges and post-secondary technical institutes. Two-year post-secondary programs prepare graduates for jobs in Federal, city, county, and State agencies, the Armed Forces, and private industry.

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Instructor teaches prison inmates.





President Nixon issued OCD its Executive mandate on April 9, 1969, when, in announcing plans to establish the Office, he called upon it to "take a comprehensive approach to the development of young children, combining programs which deal with the physical, social, and intellectual."

## Major Programs

A number of OCD activities for youth and children play a role, directly or indirectly, in assisting in law enforcement. The agency operates no service programs for delinquent youth. But OCD Youth Services specialists monitor and report on selected youth development programs across the country, including programs focusing on drug education and treatment, and projects to teach young people law-abiding behavior. These specialists also provide technical assistance in planning and developing youth programs.

The Research and Evaluation Division conducts a limited number of research and demonstration projects to demonstrate to public and private organizations new methods of ensuring the healthy, socially acceptable development of young people. In some of these programs, young people plan, manage, and operate projects which include delinquency prevention and control.

OCD also has responsibility for standards of care in institutions for dependent, disturbed, and mentally retarded children. Many of these institutions work with pre-delinquent children to prevent development of delinquency patterns. OCD has made two research and demonstration grants which focus on upgrading such institutions, so that they can do a better job with pre-delinquent and other children.

The FY 1971 appropriation for OCD was \$369,817,000. Total personnel, including permanent and temporary full-time staff, was 456 on June 30, 1971. An estimate of the resources devoted to the activities described below—including grants, salaries, and travel—would be: for FY 1971, \$131,462; for FY 1972, \$652,274.

**Research grants.** Two research and demonstration grants were made in FY 1971:

(1) "Inventory and Assessment of Youth Activity and Development Centers at Universities and Colleges in the United States," by the University of Minnesota, Minneapolis, Minn. This \$47,676 grant financed an inventory and assessment of youth development and activity centers in universities and colleges across the Nation, and determined their nature, functions, and effectiveness. Some of the centers surveyed focus on the problems of juvenile delinquency.

(2) "Project ACT: Adolescents in Child Training," a program of the Little Rock School District, Little Rock, Ark. This \$83,786 grant, under the guidance of professional teachers of child development, established kindergarten programs in each of two Little Rock public high schools; the programs provided a laboratory in which

adolescents observed and worked with young children while taking child development courses in school. is a 3-year project, now in its third year.

Most OCD projects which have a relation to prevention and control were planned and awarded during FY 1971. The programs began in early FY 1971. Statistical comparisons are not possible because most of the programs are new.

**Demonstration grants.** Descriptions of other relevant demonstration projects funded by OCD follow:

(1) "A Demonstration Project to Implement a Care-Neighborhood Youth Corps Youth Helper program." The National Commission on Resources for Youth, New York, N.Y., was granted \$33,250 for a program to demonstrate the feasibility of introducing a program in which teenagers work with school-age preschool children in day care centers. The project provides a model for a day and after-school care program for elementary school children that can be reproduced in other communities. Neighborhood Youth Corps youth from low-income minority groups take part in the program.

(2) "Demonstration: Male Workers in Day Care." Emory University, Atlanta, Ga., with a grant of \$39,000, is exploring methods of recruiting and teaching giving skills to adolescent and young adult males. The University plans to lay groundwork for a formal evaluation of the effects of such experiences on the young men and on children of different ages, races, and both sexes with whom the young men work. The project helps young minority males find careers and avoid delinquency.

(3) "Teen-Age Medical Center and Walk-in Counseling Center," a project of the Children's Health Center, Inc., Minneapolis, Minn., provides emergency medical and counseling services for youth aged 10 to 20 years. The project—jointly sponsored by Model Cities—funded with \$72,460—will be expanded to provide specialized care for young people with chronic conditions. Youth will be active in the center as medical and counseling assistants.

(4) "Preparation for Parenthood Program and Early Childhood Development Program" is another joint project with Model Cities. Under a \$129,813 grant, Macon County Board of Education, Tuskegee, Ala., provides comprehensive educational, medical, and social services for pregnant school girls and returning dropouts who already have babies. An infant and child development center serves as a school where the girls can learn how to take care of their babies.

(5) "Preparation for Parenthood." The Waco Independent School District, Waco, Tex., with a \$59,225 grant, sponsors a program of educational, medical, social, and vocational services that enable 100 teenage girls to continue their education in a separate school setting. The girls are encouraged to take advantage of the community resources that will best help them solve their particular problems. This is also a joint Model Cities project.

(6) "Transient Youth Research," a \$15,878 project of the University of Minnesota, Minneapolis, Minn., investigates the nature of America's transient youth population in one American city. The needs of delinquent and nondelinquent youth in this transient group are being studied, as well as the services available for them. A demonstration youth hostel will be set up, with young people acting as assistants in interviewing and counseling.

(7) "Youth Service Agency." The Youth Service Agency in Rock Hill, S.C., administers this \$38,480 project, which is jointly sponsored with Model Cities. It is a comprehensive program planned by young people to involve youth in government and social decision-making processes, reduce delinquency, and provide employment for youth. Young people will plan and operate their own programs, participating in counseling, job assistance, and other activities.

(8) "Pilot Project in Preadolescent Services." The Youth Services Agency, Community Development Administration, Newark, N.J., administers this \$72,780 project, which is a joint project with Model Cities. It will provide an after-school recreational and remedial program for preadolescents at three Youth Service Agency youth centers. Older youth serve as leaders, and parents take part in implementing and evaluating the program.

Care in institutions. OCD funded two projects to improve child care in institutions. Descriptions of the projects follow.

- ☐ "Community-Oriented Care in Children's Institutions" in the Georgia State Department of Family and Child Services, Atlanta, Ga., for \$125,660; and
- ☐ "Facilitation of Knowledge Utilization by Institutions for Child Development," in the Human Interaction Research Institute, Los Angeles, Calif., for \$62,145.

Both projects attempt to upgrade institutions for dependent, disturbed, and mentally retarded children and improve services for the children, including predelinquent youngsters.

The Georgia project focuses on a sample of public and private institutions in the State to determine factors

In addition to project grants, OCD provides technical assistance to public and private organizations which sponsor youth programs. Following are some current and planned OCD projects:

Technical assistance will be provided to 20 national voluntary youth-service organizations. About one-third of the youth population aged 8 to 17 years is eligible for services from these organizations. Focus has been on helping these organizations redesign and modernize their programs so they can deal more effectively with such current problems as minority group relations. One national organization has completely redesigned its programs; others are moving in new directions.

Major roadblocks to improving public and private programs for young people include the resistance of organization officials to updating their programs and the unwillingness of key personnel in schools, public health, and other public and private agencies to deal with today's problems. OCD specialists are now planning to work with public and voluntary organizations in five HEW Regions to demonstrate how programs for youth can be improved and brought up to date, and how resources can be more effectively realigned.

OCD Youth Services specialists are consulting with the representatives of the national Hotline Network Conference and are preparing a manual on providing services for youth in trouble. There are about 300 local "hotline" or crisis intervention services throughout the country that provide emergency advice to young people in trouble. Each year representatives of these local services gather in a national conference to exchange information and experience with the aim of improving the effectiveness of local hotlines. OCD specialists work not only with these national conferences, but also with local hotline groups individually.

OCD also is coordinating priority Federal programs aimed at children aged 6 to 13 years. These programs include out-of-school care for children of working parents.

## Food and Drug Administration

The Food and Drug Administration (FDA) has the law enforcement function of protecting the public health and the consumer's pocketbook by ensuring that certain products are not shipped in interstate commerce. Among these are:

- ☐ Misbranded and adulterated food, drugs, cosmetics, and devices;
- ☐ New drugs which have not been approved; and
- ☐ Misbranded or banned household substances.

In carrying out this mission, FDA ascertains how the consumer can best be served. FDA encourages industry self-regulation, but if firms do not comply FDA initiates



formal enforcement procedures under the civil and criminal provisions of the laws it administers.

**Background.** FDA was established to administer the Food and Drugs Act of 1906. In 1938 the Federal Food, Drug, and Cosmetic Act was passed, greatly strengthening consumer protection. Since that time the scope of the act has been further extended through major amendments. FDA has also taken on many increased responsibilities through transfer of authority from other agencies.

The primary obstacles faced by FDA in assuring the quality and safety of regulated products are the size of the industries and the volume of products involved. In the food industry alone, there are approximately 63,000 establishments in FDA's inventory, and these establishments account for consumer expenditures of more than \$110 billion annually. When the agency's responsibilities for drugs and product safety are added to this, FDA has a regulatory responsibility for annual consumer expenditures of more than \$230 billion.

FDA maintains surveillance over this large volume of products by a variety of means: factory inspections, sample examinations, injury investigations, and analyses of information provided by hospitals, physicians, consumers, regulated firms, and other sources. Most surveillance activities are carried out by a laboratory-supported field force located in 17 district offices.

The headquarters staff is organized along product lines: that is, separate bureaus for foods, drugs, veterinary medicines, product safety, and radiological health. The headquarters organization is also responsible for conducting research and developing standards and regulations.

Regulatory actions taken during the past 3 fiscal years are reflected in the following statistics (figures include administrative, civil, and criminal enforcement actions):

	FY 1969	FY 1970	FY 1971
Seizures.....	502	608	780
Injunctions.....	16	24	13
Prosecutions.....	29	42	52

## Laws FDA Enforces



Antibiotics are tested by a technician of the Food and Drug Administration.

(21 U.S.C. 301 *et seq.*); Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq.*); Poison Prevention Packaging Act (part) (P.L. 91-601); Fair Packaging and Labeling Act (part) (15 U.S.C. 1451 *et seq.*); Tea Importation Act (21 U.S.C. 41 *et seq.*); Filled Milk Act (21 U.S.C. 61 *et seq.*); Import Milk Act (21 U.S.C. 141 *et seq.*); Federal Caustic Poison Act (15 U.S.C. 401 *et seq.*); Flammable Fabrics Act (part) (15 U.S.C. 1191 *et seq.*); and Public Health Service Act (part) (42 U.S.C. 301, 311, 314, and 361).

FDA also has certain responsibilities under the Comprehensive Drug Abuse Prevention Act and the Federal laws covering meat, poultry, and eggs and egg products.

## FDA Responsibilities

FDA enforces its responsibilities under the various laws as follows:

**Food activities.** FDA works to protect the health of the Nation through laws to ensure the safety of the food supply.

FDA presently has about 210 food inspectors to cover 63,000 food establishments doing interstate business. Each establishment is inspected about once every 6 years. A substantial increase in food inspectors is planned.

Food inspectors check these establishments to assure compliance with the Federal Food, Drug, and Cosmetic Act, and other applicable acts. Inspectors check for the use of proper materials or formulas, procedures, and



injunction against the manufacturer or distributor as warranted.

Other acts enforced by the FDA regarding food production include the Tea Importation Act and the Filled Milk and Import Milk Acts. Enforcement of the first consists of a fee-supported examination and grading service. The latter acts provide for prosecution of those who violate their provisions, and actions against violative products are taken under the provisions of the Food, Drug, and Cosmetic Act.

In its mission to safeguard the Nation's food supply, the FDA also administers parts of the Public Health Service Act and the Fair Packaging and Labeling Act.

Under the general provisions of the Public Health Service Act, FDA has responsibility for regulating the sanitary facilities of interstate carriers and administering a sanitation program designed to minimize public health problems associated with the production, processing, and distribution of products prepared by the food service, milk, and shellfish industries. The interstate carrier section provides for criminal prosecutions and fines for violations. The other three programs are administered through Federal-State cooperation in preparing and issuing local ordinances and in conducting voluntary certification programs, education, and training.

The Fair Packaging and Labeling Act provides authority to seize nonconforming products and enjoin violating firms, but does not provide for prosecution.

During FY 1971, there were 568 court actions to secure compliance with food regulations, up from 324 in FY 1970. Criminal prosecutions increased from 33 in FY 1970 to 47 in FY 1971.

**Drug activities.** FDA works to ensure that human and veterinary drugs are safe and effective. Many extensive programs are involved in this effort.

The Federal Food, Drug, and Cosmetic Act requires that all "new drugs" be approved by FDA for safety and effectiveness before they are placed on the market. This requirement is the basis for a strict and extensive system of regulation that covers virtually every aspect of drug research, production, labeling, and distribution. During the time when a new drug is being tested on human patients (before it is approved), it is subject to special control as an "investigational drug."

FDA has joint responsibilities with the Bureau of Narcotics and Dangerous Drugs of the Department of Justice in administration of the Comprehensive Drug Abuse Pre-

ned under this procedure as capable of being abused. Practically all of them, however, have legitimate medical use, subject to the requirements of the Federal Food, Drug, and Cosmetic Act.

The two laws thus complement each other, the one regulating the legitimate and legal distribution and uses of these "controlled drugs" and the other dealing with illicit traffic in the same drugs. Both laws aim at restricting such drugs to their proper medical uses. For example, both require a prescription for any sale made by a pharmacist.

Methadone is an illustration of a controlled drug that is also a new drug and an investigational drug. It has long been approved as safe and effective for medical use as a pain reliever but for the treatment of heroin addiction it is regulated under a special licensing plan. This restricts its distribution to approved facilities where its use will be closely supervised to ensure adequate scientific study of its value in treating heroin addicts, and to prevent diversion into the illicit market.

Approval by both the FDA and the Bureau of Narcotics and Dangerous Drugs is required for facilities using methadone for maintenance treatment of heroin addicts.

Joint approval by the two agencies is also required for research projects involving Schedule I drugs—such as LSD and the "hard narcotics."

Under guidance from the Special Action Office for Drug Abuse Prevention, there is increasingly close collaboration between the Federal, State, and local agencies concerned with all aspects of the drug abuse problem.

Another area of enforcement in which the FDA cooperates to protect the public from hazardous and ineffective drugs and devices is through aid given the U.S. Postal Service in fraud cases involving the unlawful mailing of health products.

FDA efforts consist of reviewing the medical evidence collected by Postal Inspectors and providing testimony at fraud hearings. During FY 1971, FDA submitted 145 medical reports to the Postal Service for use in fraud cases and responded to 160 requests for information on other cases.

One criminal case of note decided during the fiscal year in the Third Circuit Court of Appeals involved drugs. The court reversed the conviction of a corporation and its officers for distributing a new drug in interstate commerce without the required New Drug Application (NDA) holding that if the manufacturer has an approved NDA for its package of the drug, repackaging by the distributor does not require a separate NDA by the distributor.

**Product safety activities.** Consumer protection from unsafe products used in the home is one of the major responsibilities of FDA.

Among the laws enforced by the FDA in carrying out this responsibility are the Federal Hazardous Substances Act as amended by the Child Protection and Toy Safety Acts of 1966 and 1969, and the Poison Prevention Packaging Act of 1970. FDA also administers certain provisions of the Flammable Fabrics Acts.

An FDA technician examines capsules of antibiotics.



Under the Hazardous Substances Act, FDA carries out a broad inspection program of establishments to ensure compliance with the law. The act provides for seizure of nonconforming products and prosecution of those who violate its provisions.

Under the Flammable Fabrics Act, FDA has responsibility for conducting appropriate investigations but not for standard setting or enforcement.

During FY 1971, a case in Louisiana was decided which involved a violation of the Federal Hazardous Substances Act. The court convicted the owner and bartender of a Louisiana bar who sold out-of-State Class B fireworks, such as silver kings and cherry bombs, to minors. The court held that sale of such fireworks to an adult without inquiring if a child would use them has the result of making the fireworks banned hazardous substances.

**Radiological health protection.** Late in FY 1971, FDA was assigned the responsibility for reducing unnecessary human exposure to man-made radiation caused by electronic products or medical use. Legal authority is provided by the Electronic Product Radiation Control amendments to the Public Health Service Act. The amendments authorize the issuing of mandatory standards, with injunctions and civil penalties for noncompliance.

## Changing Role of FDA

Until a few years ago, FDA was almost entirely concerned with enforcement responsibility for the Federal Food, Drug, and Cosmetic Act to effectively protect the consumer from misbranded and adulterated food, drugs, cosmetics, and devices.

During the past few years, however, the role of FDA in consumer protection has been changing rapidly. Enforcement of the Drug Abuse Control Act was transferred to the Department of Justice with enactment of the Controlled Substances Act. Enforcement of certain provisions of the Public Health Service Act was transferred to FDA. The enforcement burden of the Federal Hazardous Substances Act was greatly increased by passage of the Child Protection Amendment of 1966 and the Child Protection and Toy Safety Act of 1969. FDA was charged with performing investigations under the Flammable Fabrics Act. FDA was given the enforcement responsibilities for the newly enacted Poison Prevention Packaging Act.

These changes have had their impact. Along with the loss of the drug abuse functions, FDA lost many experi-

federal and federally assisted law enforcement and criminal justice programs and agencies is the responsibility of the Office for Civil Rights.

This Office is charged with civil rights compliance responsibility regarding HEW-assisted reformatories, juvenile homes, and prisons; institutions of higher learning receiving Federal law enforcement education funds; and Federal contractors and subcontractors and federally assisted construction projects in the field of law enforcement and criminal justice.

In the course of checking compliance and in training State staffs to monitor compliance, Office for Civil Rights personnel have had occasion to visit reformatories, juvenile homes, and a few prisons. But complaints from those institutions and compliance reviews of them are not frequent.

Because the Office for Civil Rights devotes most of its attention to recipients of continuing grants, it seldom has a chance to review recipients of project grants. Most of the funds for crime-related activities provided by HEW are project grants. In conducting a review at an institution of higher learning, the Office for Civil Rights may have occasion to check title VI compliance at parts of the institution devoted to criminology or related subjects.

**Resources.** The FY 1971 resources of the Office for Civil Rights included a budget of \$9.5 million and a staff of 550. This compares with the FY 1970 budget of \$6.2 million and 401 authorized positions. While it is not possible to isolate and identify the resources specifically allocated to compliance work related to Federal law enforcement or criminal justice assistance, about one-half of OCR compliance staff during FY 1971 were assigned to the education and health and social service areas, which embrace such project assistance.

**Criminal sanction.** The Office for Civil Rights also enforces Executive Order 11246, which requires Federal contractors to take affirmative action to prevent and to overcome discrimination in employment based on race, color, national origin, religion, or sex.

The Executive order provides that the Secretary of Labor may recommend to the Department of Justice that criminal proceedings be brought for furnishing false information. The Secretary of Labor has not done so with regard to any person contracting with HEW. The predominant sanction of the Executive order is debarment from future contract awards. One contractor with HEW has been debarred, to date.

## Scope of Responsibility

The constitutional basis for Federal interest in the field of civil rights is in the Fourteenth Amendment to the Constitution.

or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken."

HEW implemented title VI through comprehensive regulations (45 CFR, part 80), which require, in part, that recipients of Federal financial assistance execute and submit an assurance of compliance with the nondiscrimination provisions of title VI. Pursuant to this basic regulation, OCR has also issued policy statements and guidelines designed to clarify the title VI obligations of Federal aid recipients in specific areas, such as elementary and secondary education and nondiscrimination in school staffing practices.

A parallel regulation governing Rules of Practice under the basic regulation appears in 45 CFR, part 81. The Attorney General promulgated guidelines for the enforcement of title VI on December 27, 1965 (13 F.R. 60, April 2, 1966).

An additional source of authority for HEW is Executive Order 11246 (as amended by Executive Order 11375), which prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin by Federal contractors and subcontractors and on federally assisted construction. The Department of Labor, which is responsible for implementing the Executive orders, has issued regulations setting forth the affirmative action requirements of Federal contractors in the employment field (41 CFR, part 60).

Because so many programs and activities involving Federal financial assistance were concentrated in HEW, that Department was designated as the focal instrumentality and clearinghouse for gathering and distributing information about compliance with section 601 of the act. This responsibility extended to elementary schools and school systems, medical facilities, and institutions of higher education.

On August 19, 1970, the Attorney General delegated to HEW authority pertaining to institutions of higher education which receive financial assistance from the Law Enforcement Assistance Administration, through its Law Enforcement Education Program (LEEP).

Compliance responsibilities exercised by OCR under Executive Order 11246, as amended, were delegated by the Department of Labor. Specifically, OCR is the compliance agency for colleges and universities, hospitals and health-related institutions, social service facilities, certain nonprofit organizations, and State and local government agencies holding Federal contracts and subcontracts.

**Compliance responsibility.** For Federal law enforcement and criminal justice assistance activities, therefore, HEW civil rights compliance responsibility reaches to HEW-assisted penal or custodial institutions, including reformat-

FDA laboratory technician at work.

Title VI of the Civil Rights Act of 1964 applies to State social service, vocational, and rehabilitative agencies which receive funds from HEW. A total of 250 State agencies are subject to HEW compliance activity, and the agencies of 40 States were subject to reviews by the Office for Civil Rights in FY 1971.

In the course of this compliance activity, Office for Civil Rights personnel visited reformatories, juvenile homes, and prisons. Penal and custodial institutions receiving HEW funds are required to treat all persons in accordance with title VI.

Civil rights compliance officers visited almost 1,000 health and State social service facilities and agencies in FY 1971. No figures are available on how many of them were penal or custodial institutions.

Compliance is the responsibility of the State agency. The Office for Civil Rights, in an effort to assist States in meeting that responsibility, has entered into agreements with more than 30 States to train State agency personnel to check on procedures for complying with title VI.

The Office for Civil Rights undertook compliance activities in the following specific cases in FY 1971:

(1) In carrying out its responsibilities for enforcing compliance by nonprofit associations holding Government contracts, the Office for Civil Rights assumed jurisdiction over the National Committee on Uniform Traffic Laws and Ordinances and the International Association of Chiefs of Police. Both organizations hold Department of Transportation contracts relating to law enforcement.

There have been no reviews of the compliance status of these two contractors because priorities of the Office for Civil Rights lean toward larger contractors.

(2) As required by law, contracting officers at the Law Enforcement Assistance Administration asked for approval from HEW prior to granting contracts to three institutions, the University of California at Davis, the University of Michigan, and St. Joseph Hospital in Phoenix, Ariz. HEW certified that those institutions were in compliance with the Executive order and the contracts were awarded.

## Social Security Administration

The central effort of the Social Security Administration (SSA) in Federal law enforcement is aimed at preserving the integrity of the various Trust Funds under its administration.

SSA also provides certain information to Federal, State, and local law enforcement agencies and in that sense it is engaged in criminal justice assistance activities.

The mission of SSA is to serve the public by administering a broad, comprehensive social insurance program that provides benefits for retired persons, survivors of insured workers, disabled individuals, various individuals related to retired or disabled persons, and aged persons requiring hospital or medical service. The programs have a direct effect on the lives of more than 26 million beneficiaries.

retirement, survivors, disability, and health insurance programs (titles II, VII, XI, and XVIII of the Social Security Act, as amended), and the "black-lung benefit" provisions of title VI, part B, of the Federal Coal Mine Health and Safety Act of 1969.

## Trust Funds

The agency is not a law enforcement group as such; its enforcement activities are aimed primarily at preserving the integrity of the various Trust Funds under its administration.

Each of the more than 50,000 employees of the SSA is charged with the responsibility for being alert to the possibility of fraud, breach of confidentiality, or other activities which may be in violation of the penal provisions of the Social Security Act (42 U.S.C. 406, 408, 1306, and 1307) or related Federal criminal statutes. Where suspected violations are identified, employees develop the evidence. If such evidence indicates a crime has occurred, the matter is referred to the appropriate U.S. attorney for consideration of prosecution.

Investigations. A group of 21 individuals, in the SSA Office of Administration, has the primary function of investigating complex or highly sensitive situations where a crime may have occurred. The budget of this group is approximately \$500,000 per year, and includes salaries, travel, laboratory equipment, and supplies. In addition, each of the program Bureaus has a small number of individuals whose work primarily consists of evaluating criminal cases developed by other employees for possible referral to the U.S. attorney or devising programs to ensure the integrity of benefit administration.

FY 1971 statistics. During FY 1971, 571 possible criminal violations of title 2 of the act (fraud relating to benefits) were referred to U.S. attorneys, compared with 420 cases referred during FY 1970. Under title XVIII (Medicare), 42 cases of suspected violation were referred in FY 1971, compared with 35 referrals in FY 1970.

## Information Sharing

SSA also furnishes information to other Federal, State, or local law enforcement agencies. Routinely, it informs Federal agencies of identified criminal situations within their jurisdiction, but detected through SSA activities. Under regulatory authority, SSA furnishes information regarding earnings to the Internal Revenue Service in connection with income tax investigations.

As requested, under regulatory authority, SSA will furnish information to certain State programs under the various grant-in-aid programs financed by the Federal Government. This information may be used in determining entitlement or in enforcing the programs.

In cases involving national security, information may be furnished to the Department of Justice.







The relationship of crime and delinquency to the physical surroundings in communities and neighborhoods in the United States is a central concern of the Department of Housing and Urban Development (HUD).

That relationship manifests itself in many ways; riots and crime decrease building insurance availability; abandoned houses and dilapidated neighborhoods become breeding grounds for crime and delinquency; and many housing areas and neighborhoods are lacking in proper security devices and policing activities.

HUD has programs addressing those and other aspects of crime and delinquency, all falling within the general mission of HUD to provide for the sound development of the communities and metropolitan areas of the Nation.

## Scope of Activities

Summaries follow of the background of HUD and of major offices and activities relating to Federal law enforcement and criminal justice assistance.

**Background.** HUD was established by the Department of Housing and Urban Development Act of September 9, 1965 (79 Stat. 667; 42 U.S.C. 3531-3537), which became effective November 9, 1965.

**Riot and crime insurance.** The Federal Insurance Administration administers insurance programs aimed at reducing losses caused by civil disorders, riots, or crime. HUD provides Federal reinsurance to companies which offer riot and civil disorder insurance, and offers direct crime insurance in any State where its availability is limited due to excessive cost.

Civil disorder, riot, and crime insurance helps prevent crime in two important ways. First, the availability of insurance helps deter the abandonment or deterioration of urban areas, conditions which may invite looting and crime. Second, eligibility for crime insurance requires the installation of protective devices which should help deter crimes against property.

**Model Cities.** The Model Cities Program, administered by the Assistant Secretary for Community Development, fights crime by demonstrating that improved living conditions can help stamp out the causes of crime, and also by encouraging cities to plan, design, and undertake projects which improve all aspects of the criminal justice system.

**Fair housing.** Enforcement of Federal fair housing laws includes referrals to the Department of Justice for civil actions under section 813 of title VIII when there is reason

to believe that there is a pattern or practice of resistance to the full enjoyment of rights under title VIII, or for criminal prosecution under title IX for interference with an individual's rights under the Federal fair housing law, or the rights of persons who have aided or encouraged any other person in the exercise of such rights. Enforcement is carried on by the Office of Civil Rights Compliance and Enforcement in the Office of the Assistant Secretary for Equal Opportunity Administration. This office receives, investigates, and conciliates complaints of discrimination based on grounds of race, color, religion, or national origin.

**Planning public safety systems.** The General Assistant Secretary and the Assistant Secretary for Community Planning and Management administer community planning and management programs for HUD. These programs have contributed to the strengthening of local law enforcement and corrections systems, and to the design of areawide public safety systems.

**Audits.** The Office of Audit, Inspector General and Office of Financial Systems and Services, and Investigations works to ensure that programs managed or funded by HUD are administered honestly, and that the wrongdoers are prosecuted.

**Research and technology.** HUD also operates a substantial number of experimental projects that are related to law enforcement. These include research on improved security techniques, research on new security devices, and projects to deter potential criminals from committing unlawful acts.

A more detailed discussion of the areas in which HUD is involved in combating crime follows.

## Federal Insurance Administration

The Federal Insurance Administration (FIA) administers several Federal programs aimed at reducing losses caused by civil disorders, riots, or crime generally.

The programs include one providing reinsurance protection against excessive losses attributable to riots or civil disorders, and a program of direct insurance against crime losses in any State in which the availability of such insurance at affordable rates is a critical problem.

The FIA also conducts studies and makes recommendations on alternative programs of insurance and financial assistance in connection with man-made disasters.



## Riot Reinsurance

The mission of the HUD riot reinsurance plan is to encourage private insurance companies to insure property within areas subjected to riots or civil disorders.

To fulfill that mission, the Secretary of HUD is authorized to provide Federal reinsurance against riot and civil disorder losses to companies that participate in an insurance pool known as a Fair Access to Insurance Requirements (FAIR) Plan.

Authority for this program derives from title XI of the Housing and Urban Development Act of 1968, which created the FIA and the position of Federal Insurance Administrator.

Not only does the Federal reinsurance program increase the availability of coverage within the more volatile areas of the inner city, but it also assures that insurance proceeds will be available to restore or rebuild structures following a normal fire, a riot, or other covered

Since August 1968, such plans have been established in 26 States, the District of Columbia, and Puerto Rico, and they cover more than 75 percent of the property insurance market in the United States.

The riot reinsurance program is entirely self-supporting, and, as of June 30, 1971, had accumulated a surplus of approximately \$70 million. Claims paid totaled about \$5.5 million at the end of FY 1971.

Atlanta, Ga.

The FIA is engaged in a continuing review of the FAIR Plans to determine their compliance with the 1968 Act and the regulations under it. Emphasis in this review is placed upon equity of treatment between the voluntary market and FAIR Plan risks and the general fairness, equity, and efficiency of the operation of the Plan. If necessary, present regulations will be changed to fulfill these objectives.

## Crime Insurance

HUD administers a program of insurance for losses resulting from crimes involving residential or commercial property.

The program is intended to assist local crime prevention efforts in two ways. First, the program requires certain protective devices be installed before cov-

Development Act of 1970, confers authority for the Federal crime insurance program upon HUD. Under the legislation, the Secretary of HUD is required to review continuously the availability of crime insurance throughout the United States, and, as of August 1, 1971, to provide crime insurance where it is critically needed but not available at affordable rates.

**Background.** During FY 1971, FIA planned for the August 1, 1971, deadline by evaluating current crime insurance policy forms and procedures, investigating available protection devices, evaluating proposals from private companies, and developing a statistical plan for the program. The results of these efforts were incorporated in the crime insurance regulations, which were published in the Federal Register on July 1, 1971.

Following this intensive, but necessarily somewhat limited, review of the crime insurance market in the United States, Federal Crime Insurance was made available through the FIA in nine States and the District of Columbia. Coverage can be obtained through any licensed agent or broker, while administrative functions, including claims, are handled for the FIA by three insurance companies.

The sole risk bearer under the crime insurance program is the Federal Government.

**Requirements.** An integral part of the program, applicable to both residential and commercial risks, is the requirement that appropriate protective devices be installed by the insured to reduce his potential loss. These range from appropriate door and first-floor window locks for residential property to silent alarm systems connected to private guard services for very high risk commercial property.

This requirement should help deter crimes against property by making potential victims aware of the necessity and availability of protective and preventive measures. The requirement is also designed to make the program economically feasible. Efforts will be made in the future to coordinate the protective device requirement with similar requirements imposed by Federal, State, and local agencies and with the best knowledge available from industry.

A second significant requirement of the program is that crimes upon which insurance claims are based must have been reported to the local law enforcement agency if the claim is to be approved, and all other crime losses must be reported to avoid risking policy cancellation. To the extent that the coverage is purchased, this requirement may assist local agencies in identifying and dealing with the full scope of their local crime problem.

**Evaluations.** Since only approximately 1,000 crime insurance policies were sold during the first 6 weeks of the program, an immediate effort was made to determine and correct possible deficiencies in the marketing system. It is understood that alternative marketing systems also will have to be evaluated.

The statistical plan for the program also may be amended to provide information that would be of special interest to law enforcement agencies. The present sta-

tement depends upon direct information from the interested agencies as to what data would be useful to them.

## Model Cities

The Model Cities Program of HUD is aimed at eliminating slums and blighted neighborhoods, which so often are the breeding grounds of crime and delinquency.

The mission of Model Cities is to demonstrate how the living environment and general welfare of people residing in slums and blighted neighborhoods can be improved, regardless of city size, everywhere in the Nation.

The Model Cities Program also attempts to fight crime directly by encouraging cities to plan, design, and undertake projects which improve all aspects of the criminal justice system.

The projects funded in FY 1971 include research and development in the administration of justice; public education on law enforcement, observance, and crime prevention; projects to rehabilitate narcotic addicts and alcoholics; projects to prevent and control juvenile delinquency; projects to train State and local law enforcement officers; projects to provide the poor with criminal law advice and assistance; and State and local projects to reduce crime and improve correctional facilities.

Authority for the Model Cities Program derives from title I of the Demonstration Cities and Metropolitan Development Act of 1966. It is administered by the Assistant Secretary for Community Development.

The primary goal of the Model Cities Program is to concentrate and coordinate Federal, State, and local efforts in a comprehensive attack on the social, economic, and physical problems of selected impoverished areas.

It seeks to demonstrate in relatively few but broadly representative cities how blighted neighborhoods can be rejuvenated, physically and in life style, through the pooled efforts of all concerned.

The idea stemmed from a realization that the profusion of categorical grant-in-aid programs was failing to satisfy the needs of local government.

**Funding.** The Demonstration Cities and Metropolitan Development Act of 1966 incorporates a simple funding philosophy. It does not contemplate that money appropriated for the Model Cities Program be spent in the same manner as other categorical grant-in-aid programs, but that such money be spent to make more efficient and effective use of existing Federal, State, and local resources. The act further contemplates four kinds of Federal financial assistance to Model Cities.

First, planning grants are made available. The act empowers HUD to pay up to 80 percent of the approved cost of planning and developing a comprehensive city demonstration program.

Second, the act empowers HUD to pay up to 80 percent of the cost to a city of administering its approved comprehensive demonstration program.

Third, supplemental funds may be provided. The act enables HUD to make block grants with which a city can carry out its approved comprehensive city demonstra-



Neighborhood security patrolman directs traffic in a Model Cities area in San Juan, P.R.

tion program. Such funds need not be earmarked for any specific project or activity, nor are they intended to be used primarily to finance the entire cost of local projects. They are intended to supplement other available Federal, State, and local funding resources. As such, they are the only Federal grant funds which may lawfully be used to "match" other Federal grant-in-aid funds. Only where no other Federal grant-in-aid program is available to assist a particular project are Model Cities supplemental funds intended to be used to finance that project's entire cost.

Fourth, the Model Cities Program has been constructed to make maximum use of other existing Federal grant programs. Thus, the statute contemplates that the bulk of funding necessary to carry out a city comprehensive demonstration program will come from existing Federal grant-in-aid programs and not from Model Cities supplemental funds.

**Technical assistance.** In addition to the financial assistance contemplated by the statute to be given to cities participating in the Model Cities Program, provision is made for the delivery of technical assistance to the cities. HUD staff has provided technical assistance and HUD funds are available to cities to purchase such assistance. HUD also has sought and received the cooperation of other Federal, State, and local agencies and private institutions and individuals in providing such assistance. Finally, HUD has purchased such assistance directly and supplied the service to the cities both directly and indirectly.

Included among the components of a comprehensive local Model Cities Program is one which is directly related to criminal justice. Since crime and delinquency are common urban denominators, comprehensive plans are re-

ing probation, parole, and institutions of confinement for both adults and juveniles. Throughout these efforts are the motivating elements of prevention, enforcement, and rehabilitation.

Since the 147 Model Cities are encouraged to make maximum use of non-HUD grant-in-aid money, the success of a criminal justice project may be reflected more by the absence of HUD Model Cities funds than by their presence. Irrespective of the source of funding, the projects themselves have all come into being through the Model Cities Program process administered by HUD.

**Expenditures.** During FY 1971, the 147 Model Cities implemented 285 criminal justice projects involving all aspects of the criminal justice system. The total expenditure for these projects was \$45,761,122, of which \$27,663,151 represented FY 1971 HUD Model Cities supplemental funds.

Of the remaining balance, \$13,078,967 came from other Federal grant-in-aid funds, \$1,021,187 came from non-Federal public sources (i.e., States, counties, cities), and \$997,129 came from private sources such as institutions and foundations.

**Projects.** There follows a breakdown of the kinds of criminal justice projects undertaken by Model Cities during FY 1971:

**Research and development in the administration of justice:** Two cities implemented two projects costing \$127,123. Of this, \$97,123 came from Model Cities supplemental funds.

**Public education on law observance, enforcement, and crime prevention:** Eight cities implemented eight projects costing \$528,370. Of this, \$265,030 came from Model Cities supplemental funds.

**Projects to rehabilitate alcoholics and narcotic addicts:** Twenty-five cities implemented 34 projects costing \$8,655,310. Of this, \$5,367,356 came from Model Cities supplemental funds.

**Projects to prevent and control juvenile delinquency:** Fifty-one cities implemented 70 projects costing \$7,969,150. Of this, \$3,929,973 came from Model Cities supplemental funds.

**Projects to educate and train State and local enforcement officers:** Six cities implemented eight projects costing \$401,203. Of this, \$180,782 came from Model Cities supplemental funds.

**General police activity projects:** Fifty-one cities implemented 76 projects costing \$17,373,572. Of this, \$10,608,924 came from Model Cities supplemental funds.

**Projects assisting the prosecution of crimes:** Three cities implemented three projects costing \$167,590. Of this, \$94,398 came from Model Cities supplemental funds.

**Projects to provide the poor with criminal law advice and assistance:** Twenty-two cities implemented 25 projects costing \$2,912,526. Of this, \$2,452,495 came from Model Cities supplemental funds.

Los Angeles, Calif.





the past 3 fiscal years indicates that increasingly Model Cities are focusing all available resources on the crime problem. In FY 1969, the 147 Model Cities spent \$13,858,503 on criminal justice projects. Of this, \$9,779,976 came from Model Cities supplemental funds. In FY 1970, the cities increased their spending to \$24,369,293, of which \$12,597,403 came from Model Cities supplemental funds. In FY 1971, the cities spent \$45,761,422, of which \$27,663,454 came from Model Cities supplemental funds.

Both the total expenditures and the amount of Model Cities funds spent on criminal justice projects in FY 1971 exceed the combined totals for FY 1969 and FY 1970.

**Specialists.** HUD encourages the Model Cities to establish working relationships with all available criminal justice agencies. In keeping with its mandate to provide technical, as well as financial, assistance, HUD provides specialists to advise the cities. The specialists come from the International Association of Chiefs of Police and the National Council on Crime and Delinquency, which have been retained by HUD, each pursuant to a \$200,000 contract for personal services.

Specialists from these two organizations have been assisting the Model Cities to plan, develop, and implement the criminal justice components of their comprehensive city demonstration programs. Direct technical assistance has been rendered in many of the cities and all of them have received such assistance indirectly through publications, training seminars, and conferences.

## Prevention of Intimidation in Fair Housing

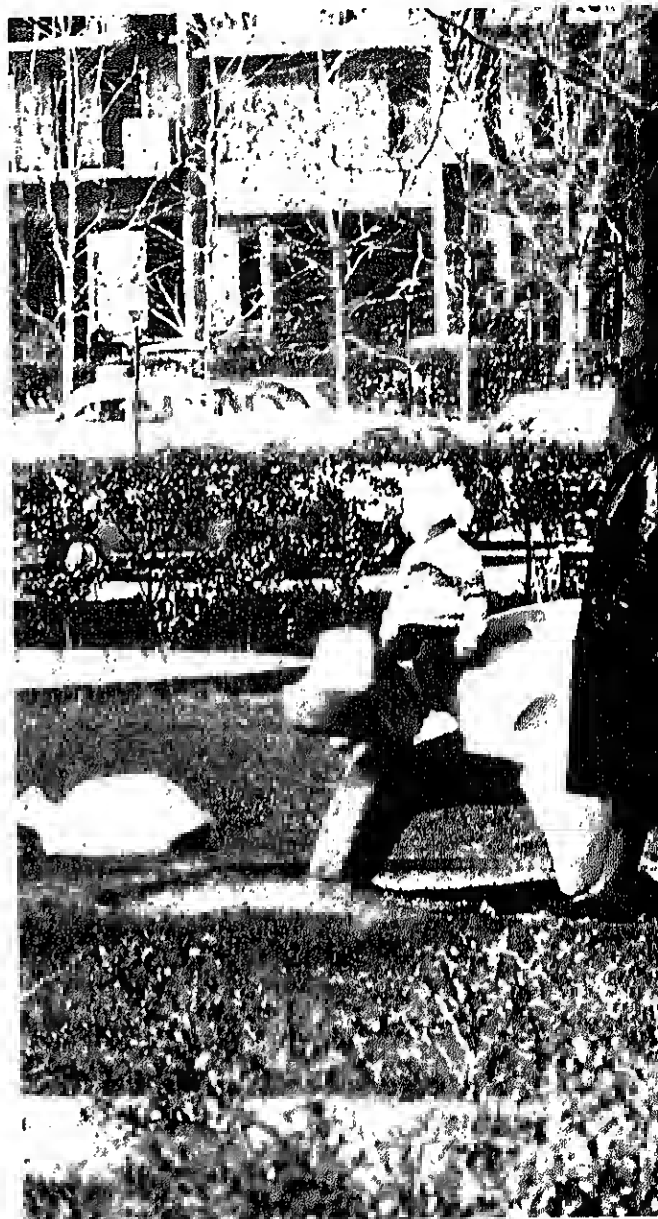
The mission of the fair housing program of HUD is to receive, investigate, and conciliate complaints of discrimination on grounds of race, color, religion, or national origin.

When the situation warrants, HUD refers such complaints or related information to the Department of Justice for possible criminal prosecution.

**Background.** This program was established by the Civil Rights Act of 1968 (P.L. 90-284). It is administered by the Office of Civil Rights Compliance and Enforcement under the Assistant Secretary for Equal Opportunity.

Title VIII of the act authorizes the Secretary of HUD to receive, investigate, and attempt conciliation of complaints involving discrimination in housing on grounds of race, color, religion, or national origin. Section 813 of title VIII authorizes the Attorney General to bring a civil action if he has reasonable cause to believe that there is a pattern or practice of resistance to full enjoyment of rights granted under title VIII, or that a group of persons has been denied such rights and the denial raises an issue of general importance.

Title IX of the act is a criminal provision which prohibits willful or attempted injury, intimidation, or interference with any person because of his race, color, religion, or national origin who is selling, purchasing, renting,

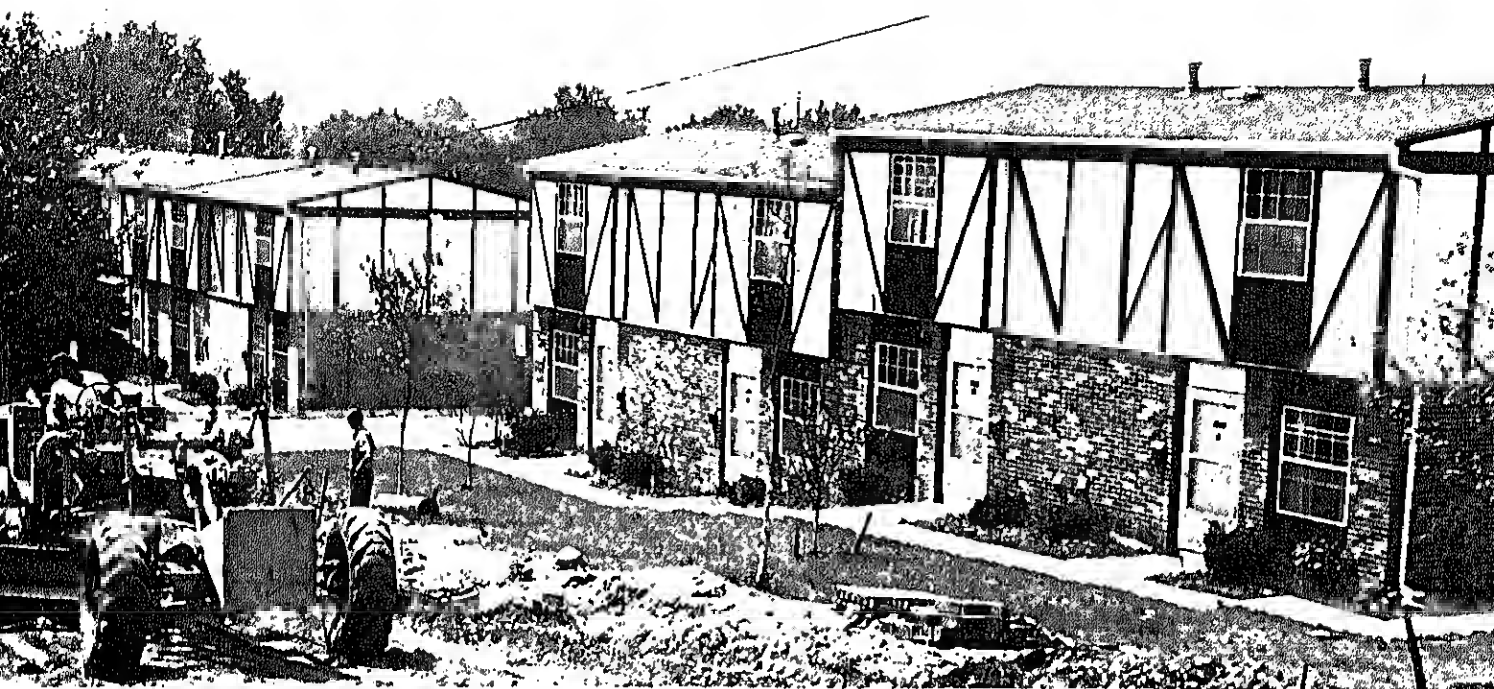


Small park developed in urban renewal area in Washington, D.C.

financing, or contracting or negotiating for sale, purchase, rental, financing, or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings.

It is the responsibility of the Department of Justice to enforce title IX, but matters which involve its violation occasionally come to the attention of HUD and are referred to the Department of Justice for appropriate action.

Since HUD does not have principal responsibility for



New housing in the suburbs.

enforcing title IX, it allocates no resources specifically for that purpose.

The appropriation for the entire equal opportunity program of HUD for FY 1971 was \$8 million, which included expenditures of \$5.1 million for an authorized staff of 334 personnel. Staff engaged in administering title VIII totaled 119, representing approximately \$1.8 million.

In FY 1971, HUD received 1,215 complaints under title VIII.

Since April 1968, when titles VIII and IX were enacted, HUD has referred approximately 83 individual complaints to the Department of Justice for appropriate action under section 813 of title VIII. In some of these cases, intimidation and harassment were also alleged and action could also be taken under title IX. In addition, there were approximately eight cases in which the violations fell solely under title IX.

## Safe Living Environments

A decent home and a safe and suitable living environment for every American family are the goals of the housing production and credit programs of HUD.

Under Minimum Property Standards now being revised, certain features involving crime prevention and control in housing will be covered.

**Authority.** Authority is provided by the National Housing Act, United States Housing Act of 1937, title IV of the Housing Act of 1950, and section 202 of the Housing Act of 1959. The programs are administered by the Assistant Secretary for Housing Production and Mortgage Credit and the Federal Housing Commissioner.

Generally these programs relate to the insurance of housing loans, the making of assistance payments on behalf of lower-income home owners and the owners of rental housing projects designed for occupancy by lower-income families, and the provision of financial assistance to States and political subdivisions in the development of low-income housing.

Minimum Property Standards have been adopted for the purpose of determining the eligibility of the housing structure for insurance and assistance under these programs.

**Revision.** A revision of the Minimum Property Standards now in process will cover a number of features affecting crime prevention and control. These features are lighting requirements; building access and control measures; standards for hardware, doors, and windows to assure maximum reasonable security; and standards for the design and arrangement of public space such as parking, entry areas, corridors, laundry facilities, and other service areas to provide for maximum visibility and safety.

Some of the features are the subject of a technical study now being conducted by the Law Enforcement Assistance Administration under contract with HUD.



name to indicate endorsement by a Federal agency is prohibited by 18 U.S.C. 709.

Since the above activities are incidental to administration of housing programs, separate appropriations have not been required.

## Policing Low-Rent Housing

Providing police protection adequate to control crime and vandalism in low-rent housing projects is an integral part of the HUD program.

The low-rent housing program of HUD has as its goal



**Background.** Authority for the program is contained in the United States Housing Act of 1937 and the Housing and Urban Development Act of 1970. The program is administered by the Assistant Secretary for Housing Management.

The 1937 act authorized creation of Local Housing Authorities (LHAs) which would construct, own, and operate public housing projects. At the outset, income generated by the housing project was to cover operating expenses, while Federal assistance was provided through annual contributions for amortizing the debt service on capital costs.

It was further specified that through agreement between the LHA and the local governing body, the city would provide the same level of police protection to the housing project as it did for its other residents. In return, the LHA would make payments in lieu of taxes (PILOT).

It was found, however, that within some projects the level of police protection was inadequate to control crime and vandalism.

**Supplemental funding.** At such locations, HUD can authorize the LHA to spend funds from its operating budget for supplemental protective services; or the LHA can seek other sources of funds. In the 1970 act, HUD was authorized to fill the deficit between LHA income and operating costs. Ensuring the security of housing project residents is considered an operating cost, and the Federal subsidies, though not earmarked as such, can be used to procure additional protection.

Cost figures for these expenditures were not systematically collected for FY 1971 or earlier fiscal years. However, a reporting procedure for determining the types and costs of protective services as reflected in LHA operating budgets has been established so that such data will be available in the future.

**Scope of problems.** Vandalism, burglary, and crimes against persons have increased drastically at low-rent public housing projects in recent years.

The Philadelphia Housing Authority, to cite one example, reported that between April 1, 1969, and March 30, 1970, it was necessary to spend \$1,686,964 to repair damage resulting from vandalism.

Over a 2½ year period, the repair of vandalized units and grounds cost the Housing Authority of Kansas City, Mo., \$552,290.

Underlying the rising crime rate are the concentration of multiproblem families in a small area, the lack of a sense of community, theft as it relates to narcotic addiction, and buildings poorly designed to provide security.

Expressing fear for their personal safety, tenants have rated security as a problem to receive priority consideration.

**Local police.** The local police department is responsible for the maintenance of security and the control of crime. For this service the housing authority makes payments in lieu of taxes (PILOT). However, in most communities the police restrict their patrols to the streets and public areas surrounding the low-rent housing. The officers do not enter a project unless they observe a crime being committed or are called in to investigate or to put down a

not always sufficient.

In some cities arrangements have been made between the police and the housing authority for special police patrols of housing projects. For example, in Boston the police force has provided a special 55-man detail for the housing authority.

**Security forces.** Other housing authorities maintaining a housing police force or security guards have budgeted the following amounts for their FY 1972, which may not necessarily correspond to the Federal fiscal year: New Haven, \$237,550; Philadelphia, \$1,535,250; and San Francisco, \$260,000.

Even where a police force patrols within the housing project, it is no guarantee to eliminating crime and vandalism. An individual intent on his criminal objective may familiarize himself with a guard's schedule and carry out his crime while the guard is in another section of the building. Also, the design of many projects makes effective patrols difficult and facilitates escape.

There has been criticism that projects do not receive the level of security to be expected for the high cost of the operation and that too much time is spent on unrelated duties or in Police Record Rooms rather than on patrol.

Low pay and inadequate selection procedures are partially to blame for some of the problems. These factors result in recruiting low-caliber guards who do not meet their responsibilities and are not responsive to the needs of the tenants. The men often lack the training or equipment to perform the job properly. Also, to keep expenses down, there may not be enough men assigned to patrol a project effectively or the men may be assigned to work only until midnight.

In the spring of 1971, Philadelphia sought to overcome some of these problems by initiating a special program of guard selection. With the help of the Philadelphia Police Department, more than 100 men were trained—and they wear guns, carry walkie-talkie radios, and make arrests within housing projects. To help cope with the heroin problem, Philadelphia gave low-rent housing tenants a telephone number to call. Through it, they may convey information without divulging their identities. That information is then forwarded to the narcotics squad.

**Tenant involvement.** Involvement of tenants is considered one of the more effective means of reducing housing project crime, but it requires strong local leadership. In some projects, Tenant Councils have brought the housing authority, the police, and the tenants together to help prevent vandalism and other crimes.

In St. Louis, for example, tenants are being trained to provide security and maintain order within their own buildings. Tenants helped select the tenants who underwent training, and tenants are evaluating the program.

The St. Louis Housing Authority, during the past years, has implemented a security program requiring the interaction and cooperation of the Housing Authority, the Metropolitan Police Department, and the tenants.

The major innovation of the program involves the training and employing of residents of the housing projects as security and order maintenance personnel for the building complex in which they live. From the beginning tenants of the buildings were called on to assist in deter-

to reporting crimes to the police, providing information to investigators and stopping crimes in progress only if they can do so safely. One of the most important functions of the St. Louis patrol force is to develop a close relationship with tenants on the beat and to encourage tenant participation in the security program.

Additionally, tenant volunteers have been assigned roles as building and floor captains to work directly with their neighbors and the patrol force. The captains call the patrol force when required, assure that exterior doors are locked, and report the presence of uninvited individuals.

The St. Louis Police Department maintains liaison with the Housing Authority and the security patrols through its Police-Community Relations Officers and precinct commanders. In addition, quarterly meetings are scheduled between Housing Authority commissioners and the police department.

In New York City the Division of Tenant Relations has created tenant patrols in each development. In some projects, this consists of tenants manning tables in the lobby until about 11 p.m. In other projects with a more stable tenancy and characterized by a large number of male residents, the men, carrying walkie-talkies, make rounds.

In Detroit, where the police force was not found to be sufficiently responsive at night, a Community Relations Unit was organized to involve the tenants in security measures. A command post and resident patrol were set up to provide escort service during evening hours.

Detroit tenants also compiled a list of recommended residents from which the police department selected men as police aides. These aides are assigned to patrol the buildings with walkie-talkies and to maintain liaison with both residents and police.

One building in Washington, D.C., has paid residents to serve as monitors for patrolling the building from 5 p.m. until 3 a.m. Any problems are reported to the police.

In addition, at six Washington, D.C., projects courtesy patrols composed of youths, 14 to 16 years of age, wearing yellow identification blazers and carrying two-way radios, have been assigned to walk the grounds, report any unusual activities, provide escort service, and assist women with heavy packages. When problems are encountered, they call for assistance, but do not attempt to apprehend troublemakers. This program has been funded through the Neighborhood Youth Corps in Washington, D.C.

Another approach to security which New York City has experimented with on a limited basis is that of locking all entrances and providing tenants with keys. However, because tenants can have duplicate keys made and distributed, this has had limited success.

Employees of the housing projects are instructed to remain alert to signs of vandalism or criminal activity and to report anything suspicious. Because they also have been subject to attack, the maintenance employees of the New York City Housing Authority have been provided with a pocket-sized buzzer which can be activated when difficulties are encountered.

**Modernization plans.** Under HUD's modernization program, LHAs may be authorized to spend funds to update building features in older projects. Bond sales

are window burglar bars and chains, burglar door chains, entrance door peepholes, and new solid doors to replace those with shatterable glass.

Outside lighting has been included in the modernization plans of a number of housing authorities to deter muggings, and placing the lights so they cannot be vandalized is an important factor. In New York, an experiment uses television cameras to scan entrances and grounds and thus reduce the need for manpower.

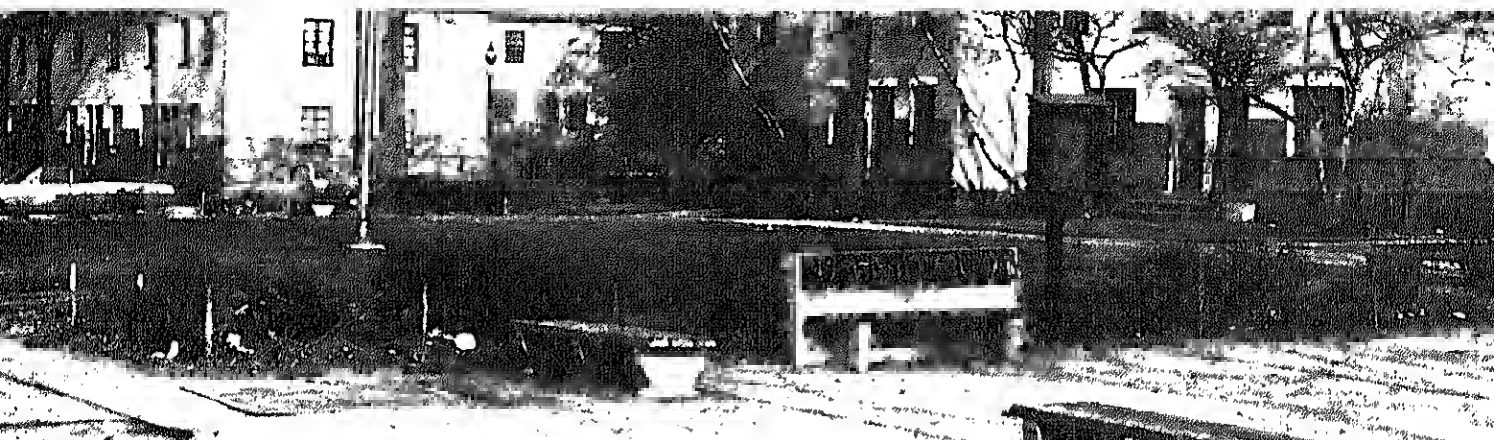
**Closed-circuit television.** The Chicago Housing Authority has successfully experimented with the use of a closed-circuit television system in one of its high-rise buildings and has budgeted \$238,500 in modernization funds to include the system in three additional buildings. These are buildings which have experienced a high rate of robberies, rapes, muggings, and vandalism on elevators. City police, private security guards, and tenant volunteers have been ineffective in controlling the problem.

The closed-circuit television system involves mounting two cameras with protective lenses on the top of each elevator to monitor activity within. An ultra-high frequency antenna installed on the roof of the building enables a television plugged into the receptacle of any apartment to be used to view the elevators. There are plans to set up a central control room with receivers to be monitored 24 hours a day by resident council volunteers. The system also provides for activation of a loud siren at the elevator and transmittal of a signal to the control room if an elevator is forced open.

Although the closed-circuit television system has been successful in virtually eliminating crime in elevators, the range of its control is limited. Crime has merely moved from elevators to other areas not monitored and with multiple escape routes.

**Other experiments.** An experiment conducted concurrently by the Chicago Housing Authority has involved the use of electronic equipment in the elevator. If the door is forced open, the cab is stopped. Its value has been to stop young teens from forcing the door open, jumping on top of the cab and forcing trapped victims to hand up their money.

Housing authorities plagued by crime place a high priority on the quick repair of conditions that could encourage criminal activity. Replacing lights in lobbies, stairwells, parking lots, and other public areas, as well as replacing broken doors and ground floor windows, fall in this category.



Clason Point Gardens, in New York City, before renewal program.



Improvements at Clason Point Gardens have included recreation facilities and extensive lighting to discourage crime.

lower crime and delinquency rates. The plan is to redesign a New Bronx garden apartment so that entrance doors face each other and look out onto a common open

space with benches and play areas. Such design may promote neighborliness, help residents get to know each other, and encourage their cooperation in reporting strangers or unusual activity.

**Social programs.** At the same time, new social programs are being studied to reduce antisocial behavior. The Boston Housing Authority, for example, has received an LEAA grant to establish a "Teen Drop-in Center." Two senior law students, under the direction of a social worker, have been employed to counsel youths who have had trouble with the law. One student serves as a kind of second probation officer for housing-project youths. The other law student advises the youths and their parents during criminal litigation. In addition, the two law students are to develop a legal education program of special relevance to the young people of housing projects.

Another phase of the program not yet operational involves hiring four community workers—two with a social work background and two paraprofessionals—who will provide psychosocial counseling to young teens who drop by the center. The community workers are to live in the project.

The third aspect of the funded proposal involves hiring a community organizer to educate the residents and involve parents and tenant groups in law enforcement activities.

## Planning Public Safety Systems

The Community Planning and Management programs of HUD are not specifically directed against crime prevention and control. But the Comprehensive Planning As-

**Background.** The Comprehensive Planning Assistance Program, authorized by Section 701 of the Housing Act of 1954, as amended, can provide two-thirds, and in some cases three-fourths, of the grants State and local governments require to conduct comprehensive community planning for future growth. A broad range of subjects may be covered, such as the study of physical facilities, governmental services, land development patterns, housing, public finance, manpower needs, and resources.

In calendar 1968, HUD, in cooperation with the former Office of Law Enforcement Assistance, Department of Justice, granted more than \$200,000 to 12 metropolitan and State planning agencies to describe their law enforcement and criminal justice planning needs and to prepare planning work programs. Most of these planning designs have been completed, and future projects of this type will be supported by the Law Enforcement Assistance Administration (LEAA) rather than HUD.

**Planning programs.** Since January 1969, HUD has encouraged State and regional planning agencies to include law enforcement and criminal justice planning as part of their overall planning programs and has funded a small number of such studies at a cost of approximately \$300,000. The criminal justice planning element of the grantees' programs is, however, funded primarily through LEAA.

HUD encourages that law enforcement and criminal justice be made an element of comprehensive planning programs because planning and development of schools, parks, housing, public buildings, industrial centers, and utilities can have beneficial or adverse effects on crime prevention.

In addition, much of the work of State and local planning agencies funded by the 701 program produces information of value to law enforcement agencies. For example, population and economic studies, land use inventories, plans for community facilities, utilities, and transportation may aid certain law enforcement programs. Also, many planning agencies have developed harmonious working relationships with other units of government, relationships that can be utilized in the preparation of law enforcement plans.

**Public safety programs.** The Urban Systems Engineering Program, authorized under Section 701(b) of the Housing Act of 1954, as amended, makes two-thirds grants to enable public bodies to demonstrate how systems engineering and analysis techniques can benefit entire systems of public facilities and services. Areawide public safety systems are eligible under this program under guidelines issued in August 1969, although no grants have been made for this purpose. During FY 1972, HUD will solicit Urban Systems Engineering demonstration projects that might help alleviate major metropolitan social problems, including control, rehabilitation, and crime prevention programs for vacant and vandalized housing.

**Enforcement.** There is evidence that failure to enforce adequately the legal standards contained in local housing and building codes increases the incidence of crimes against persons and property. The fact that a major por-

tion of local law enforcement expenditures is directed at areas which contain much substandard and dilapidated housing is evidence of the relationship. An environment conducive to crime is at least partly attributable to laxity in enforcing building codes.

A major "Workable Program" effort is therefore directed toward adoption and effective enforcement of minimum housing and building construction standards in support of the National Housing Policy.

## Audits and Investigations

HUD operates several management efforts designed to detect, investigate, and, if appropriate, secure the prosecution of wrongdoers taking part in programs managed or funded by HUD.

These efforts are conducted by the Office of Inspector General and Office of Financial Systems and Services. Authority is provided in the Housing and Urban Development Acts of 1965, 1968, and 1970. The Office of Financial Systems and Services is under the Assistant Secretary for Administration. The Inspector General reports directly to the Secretary and is operationally independent of other offices of the Department.

**Finances.** The Office of Financial Systems and Services works to assure that, to the fullest extent possible, the receipt, disbursement, and accounting functions performed by program participants deter criminal activity. It issues policy circulars which are implemented on a Department-wide basis. To assure compliance with these policies and procedures, examinations of books, records, and documents are made on a regular basis by the Office of Inspector General.

**Audit.** The Office of Inspector General is the Department's focal point for the independent review of integrity of operations. It conducts audits, investigations, and security reviews to provide reasonable protection and constructive advice for departmental management.

The Office of Inspector General, through its audit programs—examinations and reviews of the operations of HUD components and local public agencies—acts as a preventer, as well as a discoverer, of criminal activity. Audit findings over the years have pointed up such irregularities as fraud, embezzlement, and false statements in connection with various HUD programs. All such irregularities are brought to the attention of the investigative component of the Office of Inspector General.

**Investigation.** The Office of Inspector General also assures the integrity of HUD programs, personnel, and activities by detecting irregularities; investigating crim-

gence reports, and cooperates in the prevention and control of crime with the Department of Justice (U.S. attorneys, Federal Bureau of Investigation, Organized Crime and Racketeering Section, Law Enforcement Assistance Administration); Treasury Department (Internal Revenue Service, Secret Service); Department of Labor; Civil Service Commission; and other departments and law enforcement agencies at the national, State, and local government levels.

**Summary.** A summary of investigative activity follows:

	Fiscal year		
	1969	1970	1971
Investigations opened.....	666	810	1,274
Investigations completed by HUD.....	247	405	558
Investigations referred to FBI.....	436	508	740

**Recent actions.** There follow some recent actions which underscore the role of the investigations activities of the Office of Inspector General in preventing and controlling crime and rendering law enforcement assistance at all levels of government:

The Office of Inspector General is responsible for the maintenance and consolidation of all Government lists relating to the debarment, suspension, ineligibility, previous participation, and adverse information reports of contractors and grantees.

The computer tape listing on organized crime principals has been integrated into the Office of Inspector General master index, and all HUD program participants are checked against this index.

Departmental Circular 1300.7 was issued to alert the entire Department to the possibility of organized criminal participation in HUD programs and to provide for reports to the Office of Inspector General.

A joint procedure has been developed with the Office of Interstate Land Sales Registration to check principal participants against the Office of Inspector General index as part of the review process.

## Research and Technology

Safer and better American communities are envisioned by scientists and engineers working on experimental research projects funded by HUD.

These projects include studies on telecommunications, such as the use of television surveillance of high-crime streets and urban housing security systems; a study to develop a system for the optimum routing or control of public service vehicles; a project to develop crime prevention street equipment; and the development of guide criteria for building houses which are secure against crime.

Also under development are projects to reduce crime in park areas; a project to reduce juvenile vandalism in housing projects; a project to reduce crime in residential areas; a study to develop and test a model for the optimal location of urban public services, such as police and fire;

Research and Technology.

Descriptions follow of major HUD research and technology projects bearing on law enforcement and Federal law enforcement and criminal justice assistance.

## Telecommunications

The telecommunications technology project involves four law enforcement pilot projects which examine the potential role of telecommunications technology in improving urban functions.

Communications technology affects urban development in a manner similar to transportation. Today, radio and television communications are used so extensively in urban activities that the available frequency spectrum is saturated. Advanced information transmission techniques being developed and applied in the private and national defense sectors have the potential for improving urban functions if applied in that area.

**Examination.** Beginning in 1970, the effects of data length, television, and voice channels on urban functions such as education, housing, and public administration, and the general effects of communication on urban development, were examined. This examination entailed the following:

Examining the role of communication in the performance of particular urban functions.

Identifying opportunities for improvement through increased applications of existing telecommunication technology.

Evaluating such opportunities by relative merit and priorities, including realistic cost considerations.

Recommending additional steps to evaluate and demonstrate the actual merit of methods to improve urban functions.

Urban functions were examined within the context of a total urban system with interacting functions, including housing, law enforcement, environmental control, recreation and culture, public administration, health care and delivery, welfare, business, transportation, communication, and employment. Part of the effort considered the impact of telecommunication technology on long-term growth and migration patterns. Further steps needed for the beneficial application of technology were considered.

**Project personnel.** The performing organization for this project was the National Academy of Engineering Committee on Telecommunications. HUD's management of the program was guided by an ad hoc interagency committee on urban telecommunications composed of departments and agencies that have functional interests in communications, including HUD; the Departments of Commerce, Justice, and Transportation; Federal Communications Commission; and the U.S. Postal Service. The HUD representative is chairman of the interagency committee. In FY 1970, \$302,000 was spent on this project; \$200,000 was provided by HUD, and the additional \$102,000 was provided by the other agencies.

**Report.** The final report, *Communications Technology for Urban Improvement*, has been completed and dis-



**Appropriation.** The performing organization for this project is the Institute of Public Administration. In FY 1969, \$5-19,540 was appropriated for this project.

## Street Equipment

The street equipment project developed a prototype system of street equipment to minimize crimes, reduce traffic control problems, and improve emergency communications. Statutory authority was under Section 314 of the Housing Act of 1954, as amended.

Equipment for lighting, traffic control, emergency communications, and refuse collection were available from a wide range of manufacturers; however, they were not compatible in design. The resulting fragmentation caused functional inadequacies, esthetic clutter, and high costs.

Under an urban renewal demonstration grant, the city of Cincinnati has developed a prototype system of equipment for public services on city streets. Such equipment is commonly referred to as "street furniture." The Cincinnati demonstration project included:

Surveying the present situation in this field.

Developing a systematic solution to problems arising out of the incompatibility of products in a diverse industry.

Designing improved "street furniture," including items to reduce crime, improve traffic control, and improve emergency communications.

This program was being carried out by the city of Cincinnati under an urban renewal demonstration grant of \$123,550, and it was funded in November 1969. The final project report will be published shortly.

## Operation Breakthrough

Operation Breakthrough has developed performance criteria for home security. This was one product of a contract between HUD and the National Bureau of Standards.

One of the most important technical byproducts of Operation Breakthrough has been development of the "Guide Criteria for the Evaluation of Operation Breakthrough Housing Systems." These criteria set forth performance recommendations for the housing and its components, assuring that effective means for home security are built into housing demonstrated by this program.

The development of the Guide Criteria was sponsored by HUD under a contract with the National Bureau of Standards of the Department of Commerce, and the document was reviewed by a technical panel under a separate contract between HUD and the National Academies of Science and Engineering. These contracts, totaling approximately \$3.5 million, also provided for the detailed engineering review of the Breakthrough housing systems, physical testing of housing components as well as the criteria development and other related technical tasks.

The Breakthrough Guide Criteria research document has been published in a preliminary version for review and commentary. These criteria were discussed in the

tributed. The crime prevention and emergency services pilot projects suggested by the committee included the following:

(1) Twenty-four hour television surveillance of streets to ascertain how a television street surveillance system might deter street crimes and help alleviate citizen fear of being on the street.

(2) Urban public housing and institution security system to integrate electronic security techniques with a semi-private force of security personnel to help eliminate crime in public housing and public institutions such as schools.

(3) Automatic location identification (ALI), which would enable any citizen to dial 911 for emergency services and allow the center receiving his call to know immediately the location from which the call was placed.

(4) Municipal command center, which could operate 24 hours a day and manage resources by coordinating information from all city services and might serve as a municipal command center during a serious emergency.

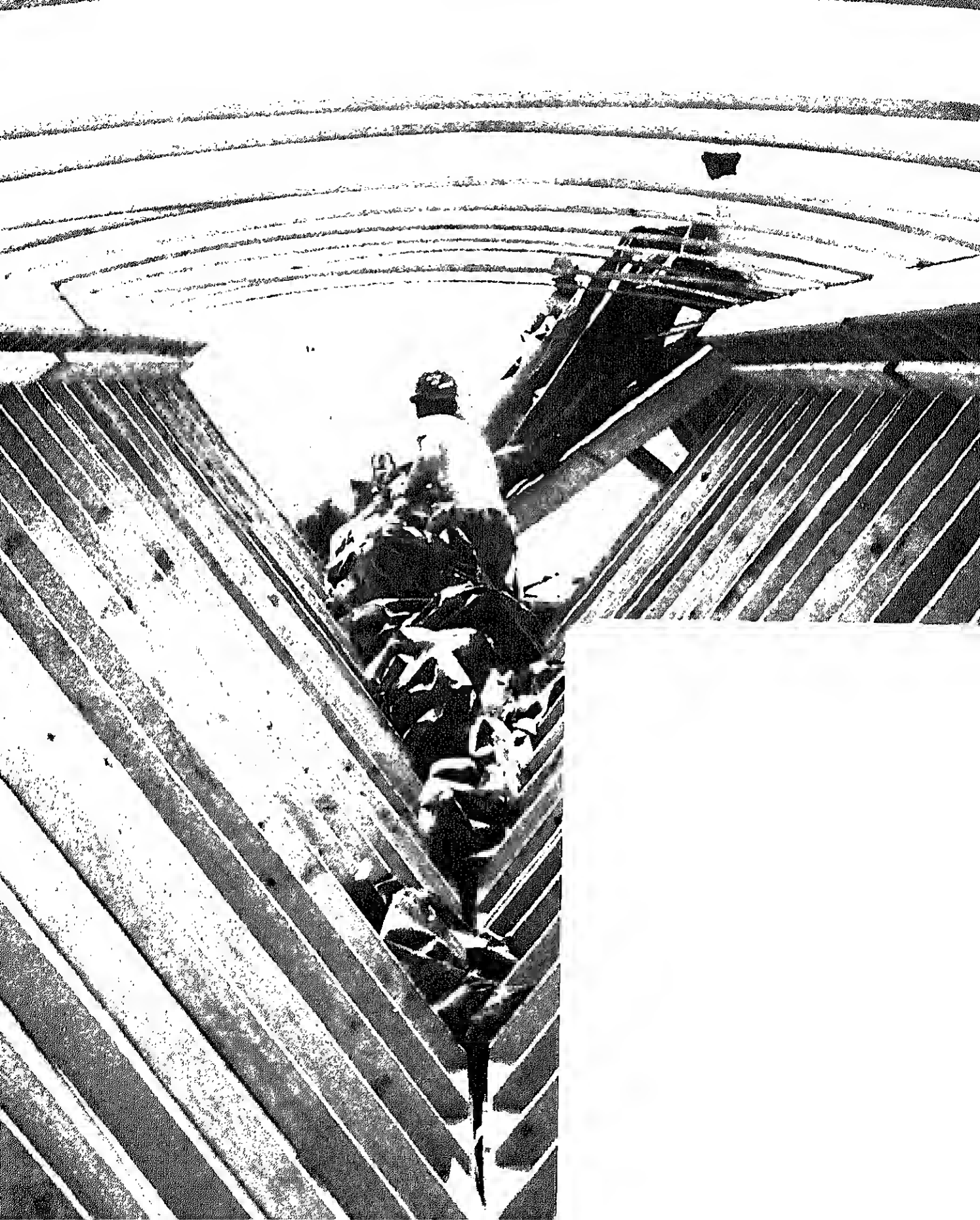
## PULSE

The PULSE (Public Urban Locating Services) project is attempting to develop a system for the optimum routing or control of public service vehicles (e.g., police, public transit, ambulance, fire, and goods movement) by automatically reporting their location to one central point within a metropolitan area.

PULSE is designed to increase utilization of existing public services in metropolitan areas. In major metropolitan areas, public services are frequently fragmented, duplicative, and uncoordinated because many political jurisdictions exist. This study is to analyze alternative technical, financial, organizational, and institutional arrangements for designing, building, and implementing PULSE that all metropolitan area users might share. Such a system might assure the quickest possible response of police vehicles or foot patrolman to incoming calls.

**Functions.** A PULSE system would automatically report the location of numerous moving vehicles to a central location. Project work involves analyzing radio wave propagation phenomena in urbanized areas, as well as examining engineering and electronic equipment to determine whether a PULSE system is technically feasible. Numerous alternative system configurations were investigated and a conference was held at HUD in October 1968 to exchange information from industrial research efforts. Draft reports on this work were submitted and reviewed by HUD. The technical work for this project, now complete, indicates that implementation of a PULSE system is indeed feasible.





factors which differentiate high crime parks from parks with low crime rates. In addition, factors which appeared to be most influential in maintaining a low crime rate were isolated and evaluated to determine their applicability to other areas. An outline for the reduction of crime in park areas will be written and possible demonstration sites identified.

The starting date for this project was November 1970. It was completed in March 1972. The total research grant was for \$80,000.



housing industry, and comments were received toward the end of FY 1971 and the beginning of FY 1972.

While direct application of the recommendations contained in the Guide Criteria is limited to the housing units being developed under the research and demonstration phase of the Breakthrough prototype program, elements will be incorporated in operational HUD programs, thereby helping to improve housing quality in many areas. Although positive security from criminal activities is impossible to attain, the implementation of Breakthrough Guide Criteria elements having to do with security and safety should minimize the dangers attendant in criminal action.

## Park Safety

The public safety in the parks project attempted to isolate factors that would lead to safe urban parks and would demonstrate crime reduction techniques for selected parks and recreational areas. The project was funded under the Comprehensive Planning Research and Demonstration Program authorized under Section 701(b) of the Housing Act of 1954, as amended.

This study is based on the supposition that central

Kalamazoo, Mich.

## Youth Training

The youth training project sought to determine if the level of vandalism in public housing projects can be lowered by teaching disadvantaged youth who live there useful skills in housing project maintenance and management.

The urban renewal demonstration grant program authorized by Section 314 of the Housing Act of 1954, as amended, provides Federal grants up to 90 percent of the cost of activities aimed at developing and testing new or improved methods for preventing or eliminating slums and blight, plus the full cost of printing and publishing reports for the guidance of other communities.

**Objectives.** The objectives of this project follow:

- (1) Training young male public housing residents aged 16 to 22 in immediately marketable management and maintenance skills.
- (2) Improving the physical condition of several public housing properties.
- (3) Providing employment for young men who might otherwise face indefinite unemployment.

available to them with special emphasis on career planning, job department, and tenant-management relations.

This project was carried out under an urban renewal demonstration grant of \$105,975 awarded in FY 1970 to the District of Columbia Government. The National Capital Housing Authority cooperated in this project, which had a total cost of \$119,873.

This project has completed its action phase and will be implemented on a broader scale by the District of Columbia school system. The final project report is being prepared.

## Residential Security

The residential security project has begun studying the patterns and categories of crime in residential areas and will attempt to develop a security system to reverse the number and severity of such crimes.

The goal of the first phase of the residential security project is to determine the nature and pattern of crimes occurring in and around residential areas. To accomplish this, the contractor will collect data on the characteristics of neighborhoods in which crimes take place, supplementing it with other information which might shed light on what encourages or inhibits crime. Police files will be examined, and offenders, victims and nonvictims consulted.

The second phase, building on the first, will develop a total security system to reduce the number and severity of crimes in different residential settings. It will emphasize housing design. The security systems developed in this phase will satisfy a variety of often conflicting criteria: cost-effectiveness, low false-alarm rates, reliability, and acceptability of use by residents.

The third and fourth phases of the overall project will be based on the preceding work. Phase three will concern the development of innovative architecture to minimize the risk to residents of crimes committed in or near dwellings. Phase four will concern the development of security systems standards for both new and existing dwellings. Their implementation should significantly reduce existing levels of crime committed in or near dwellings.

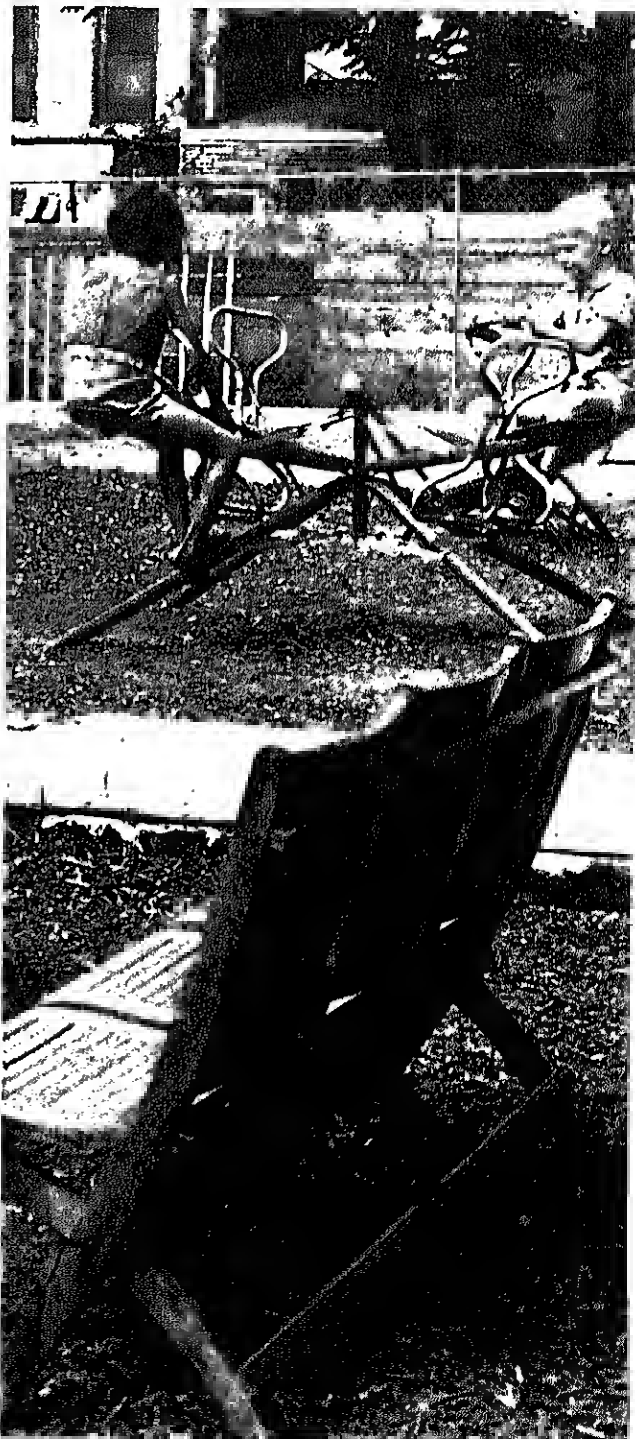
**Funding.** The \$288,000 for these projects was provided largely by HUD's Office of Research and Technology, with supplemental funding from the Law Enforcement Assistance Administration (LEAA). LEAA's National Institute of Law Enforcement and Criminal Justice will monitor projects under the first two phases. The first phase of the program, to determine patterns of crime in residential areas, will be conducted under a grant of \$149,500. The second phase, to develop total residential security systems, is to be supported by a grant of \$138,500.

## Municipal Services and Information

The municipal services and information research project involves two kinds of related studies.

The first was designed to develop and test a model for optimal location of urban public services, particularly police and fire. The second study was to develop an urban

City improvements include park development.



First study. Data were collected for the location of urban services based upon economic, social, and physical criteria. The models are applicable to fire, police, health, and similar facilities. The deployment of municipal services using data from the New York City Fire Department was analyzed. Some of the results of this effort follow:

Data showed great regularity and periodicity in fire occurrence. Similar fire incidence data were found in the suburban city of Scottsdale, Ariz. Geographic distribution of fire incidence in New York City correlated well with other indicators of urban blight.

In fire and police services, a wide variety of models was developed to evaluate efficiency and acceptability of deploying men and equipment.

The New York Fire and Police Departments used the models to develop and put into practice major, innovative policies and operating programs, e.g., varied manning to meet workload and special hazards; additional operating units on duty during hours of peak demand; varying numbers and identities of units sent in response to alarms depending upon the probable types of alarms and hazards at various locations and times of day; and redesign of service districts for battalion chiefs. Some of these principles have been developed in other cities, including Scottsdale.

**Second study.** The second study developed a demographic information system, with the kinds of information necessary to make planning decisions for urban services. The project surveyed demographic data requirements of city departments and developed a method for collecting and using that information. Studies are continuing.

Many types of urban services are such that they must be planned for and offered on a neighborhood basis. Census data are being processed to provide some information about city blocks. Methods have to be developed to project population trends and physical development changes from census data. These trends would be used to improve decision making in locating and distributing public facilities and services.

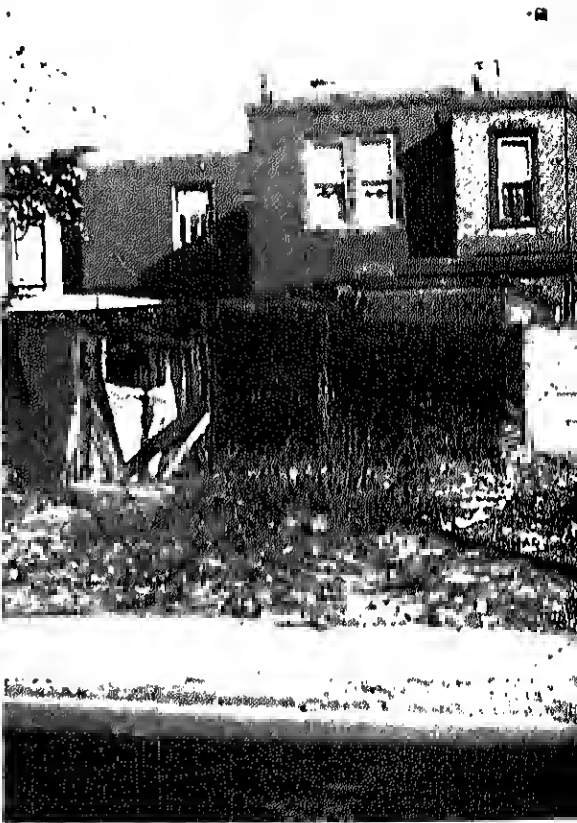
The performing organization for this study was the RAND Corporation. In FY 1969, \$360,000 was provided for this effort. Final reports were received in July 1971, and specific recommendations have been implemented in both New York City and Scottsdale, Ariz.

## Municipal and Regional Information Systems

Public safety information systems are being developed as one aspect of the work of the Urban Information Systems Interagency Committee.

This project is designed to test the hypothesis that computer-based municipal information systems serving day-to-day operational city activities can improve local governments, and that their findings and output can be transferred to other municipalities.

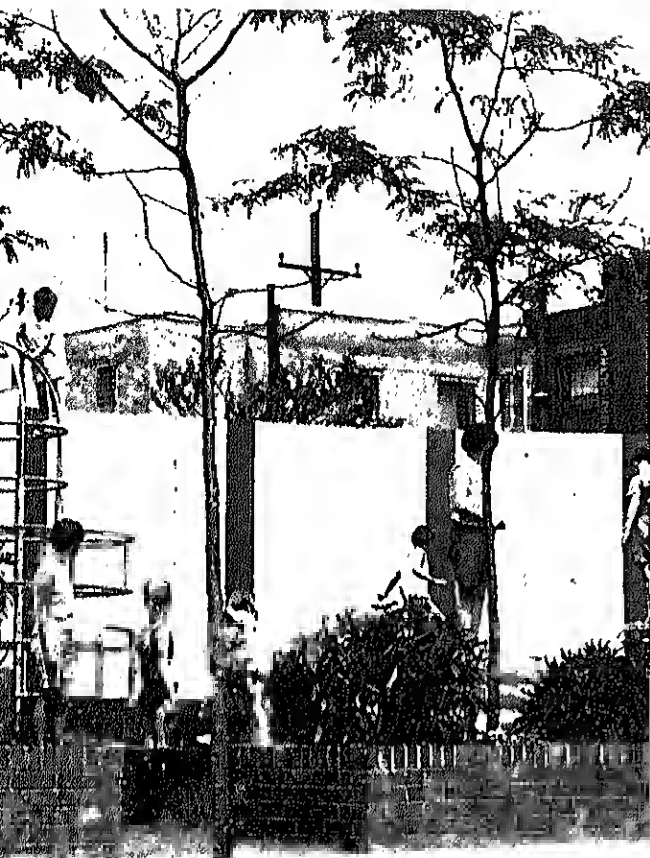
Each of three selected cities has completed systems analysis activities which consist of determining existing municipal information requirements, flows, and information



**Project cities.** In Long Beach, Calif., a public safety system is being designed, while in the two other cities, Charlotte, N.C., and Wichita Falls, Tex., total municipal information systems are being constructed. The total systems projects are planned for a 5-year period, with the subsystem project scheduled for 1 year.

**Hypothesis.** Project products will be distributed through the National Technical Information Service, Department of Commerce. Project cities have indicated their acceptance of the principal project hypothesis, that computer-based information systems can improve local government in light of the project progress. Significant conclusions have emerged in the field of criminal justice, in standardization requirements for geographic coding and land recording activities, and in data confidentiality.

The performing organizations are the cities of Charlotte, N.C., Long Beach, Calif., and Wichita Falls, Tex., with a computer system firm and a university as contractors to each city. Full-time city personnel are



A housing improvement project in Philadelphia, Pa., turned unused lots and sidewalk (left) into a recreation area (right).

Committee is monitoring a \$13 million program backed by 10 Federal agencies. Of this amount, a total of \$3.5 million in funding is devoted to the development of public safety information subsystems in the three above-mentioned cities. Funding is provided by seven of the 10 Federal agencies comprising the Committee, of which HUD is the lead agency.

The city projects began in March 1970. The police components of these efforts are providing up-to-date data for immediate operational use by all elements of the municipal and county law enforcement agencies involved, as well as for State and national agencies.

## Innovative Modernization

The innovative modernization project tests improved methods to reduce vandalism and crime in public housing.

Public housing has been subject to crime and vandalism. The innovative modernization project tests new ways

warning systems to identify vacant units, will be evaluated under this program. The project consists of two phases. In Phase I, each Local Housing Authority (LHA), working with research and development sub-contractors, will research a range of management and design innovations to be tested in two housing projects in each of the three cities. In Phase II, the innovations will be implemented and evaluated.

**Project organizations.** The performing organizations for this project are the San Francisco Housing Authority; the Allegheny County Housing Authority; and the Cuyahoga Metropolitan Housing Authority.

**Funding.** In FY 1969, \$250,000 was allocated from research and technology (R&T) funds to get the San Francisco project underway. In FY 1970, \$800,000 from the housing management modernization program was earmarked to continue the work. In FY 1971, \$100,000 in R&T funds was allocated as needed and justified by contract performance.

In FY 1969 also, \$250,000 was allocated from R&T funds to begin the Allegheny County Housing Authority project. It, too, was authorized \$800,000 in FY 1970 and \$100,000 in FY 1971 as needed and justified by contract performance.

Identical funding was allocated the Cuyahoga Metropolitan Housing Authority project.

**Innovations.** The innovative modernization plan developed by the San Francisco Housing Authority has been approved by HUD and is now being implemented. The plans of the Allegheny County Housing Authority are in their final stages of completion. Some of the innovations are to be tested authority-wide, while others focus exclusively on the demonstration sites. Innovations include:

(1) Controlling access to the projects to improve security.

(2) Breaking up the vastness of housing projects into smaller neighborhoods by color coding buildings; by redesigning walkways, play and meeting areas; and by assigning housing authority management staff directly to neighborhoods.

(3) Redesigning recreational areas to make them conform to actual needs and patterns of use.

(4) Remodeling walk-up apartments to eliminate dangerous corridors and hallways.

(5) Establishing high activity corridors in each of the projects.

(6) Decentralizing housing authority operations by giving local managers more authority and responsibility and holding them accountable for specific performance criteria.

(7) Testing the cost-effectiveness of a preventive maintenance program in selected buildings.

(8) Testing the application of a planning model to assist LHAs in setting goals and allocating resources.

(9) Employing an early warning system to identify vacancies caused by people who move out without informing the housing authority.





The Department of Transportation (DOT) sees as part of its overall mission the need to curtail and prevent the alarming rise in criminal acts involving all forms of transportation.

Efforts of the Department in this area have focused on aviation and its allied fields, in particular on aircraft hijackings and cargo thefts.

**Background.** The overall mission of the Department is to develop national policies and programs for fast, safe, efficient, and convenient transportation at the lowest possible cost and to assure the coordinated and effective administration of Federal transportation programs. The Department was created on October 15, 1966, by P.L. 89-670, and it began operation on April 1, 1967.

The Department does not have authority to prosecute under criminal statutes. But it can and does set security standards in the name of safety and it cooperates with the Department of Justice in efforts to apprehend and punish violators.

Matters of concern to the Department range from illegal charter flights which violate Federal regulations to the smuggling of narcotics and dangerous drugs into and throughout the Nation.

But aircraft hijackings, extortion, and cargo thefts remain the most vexing crime problems for the Department.

## Aerial Piracy Prevention

The issue of aircraft hijacking was raised dramatically in September 1970 when Palestinian guerrillas hijacked five aircraft, including two American aircraft, and blew them up while holding passengers and crew hostage.

The President ordered immediate action. He directed that armed guards be placed aboard U.S. commercial air carriers and that the Department of Transportation be the focal point for a coordinated antihijacking program. That program involves the Departments of State, the Treasury, Justice, and Defense, and the air transport industry.

Following the Palestinian guerrilla hijacking, the scope of efforts to combat the hijacking problem was enlarged. The Secretary of Transportation established an Office of Civil Aviation Security in October 1970. This Office formulated policies and broad overall guidance to the Federal Aviation Administration (FAA), which assumed operational responsibility for the antihijacking program.

In the summer of 1971, the Office of Civil Aviation Security was incorporated into a new office, the Office of Transportation Security, and placed under the Assistant

Secretary for Safety and Consumer Affairs. The new Office has broad responsibilities covering all forms of transportation, with specific emphasis on civil aviation security, cargo security, and program development.

**Other aviation security problems.** Other problems in this area include the theft of small planes for use in smuggling narcotics and illegal drugs across the southern borders into the United States.

Larger planes, operating under various subterfuges, are being used to transport such items as livestock, grain, and flowers illegally into the country.

## Other Major Activities

The Department also operates the following programs that are related to Federal law enforcement and criminal justice assistance activities:

The Coast Guard, second largest entity within the Department of Transportation after the FAA, has broad and diversified responsibilities in law enforcement. These range from cooperation with other Federal agencies to prevention of pollution of domestic waters as well as crime on the high seas.

The Federal Highway Administration (FHWA) has the authority to probe alleged irregularities and improprieties in Federal aid and direct Federal highway programs.

Two other administrations in the Department do engage indirectly in law enforcement activity. The National Highway Traffic Safety Administration (NHTSA) issues a variety of grants to State, county, and local law enforcement organizations, and the Urban Mass Transportation Administration (UMTA) has issued grants to study vandalism on buses and assaults on drivers.

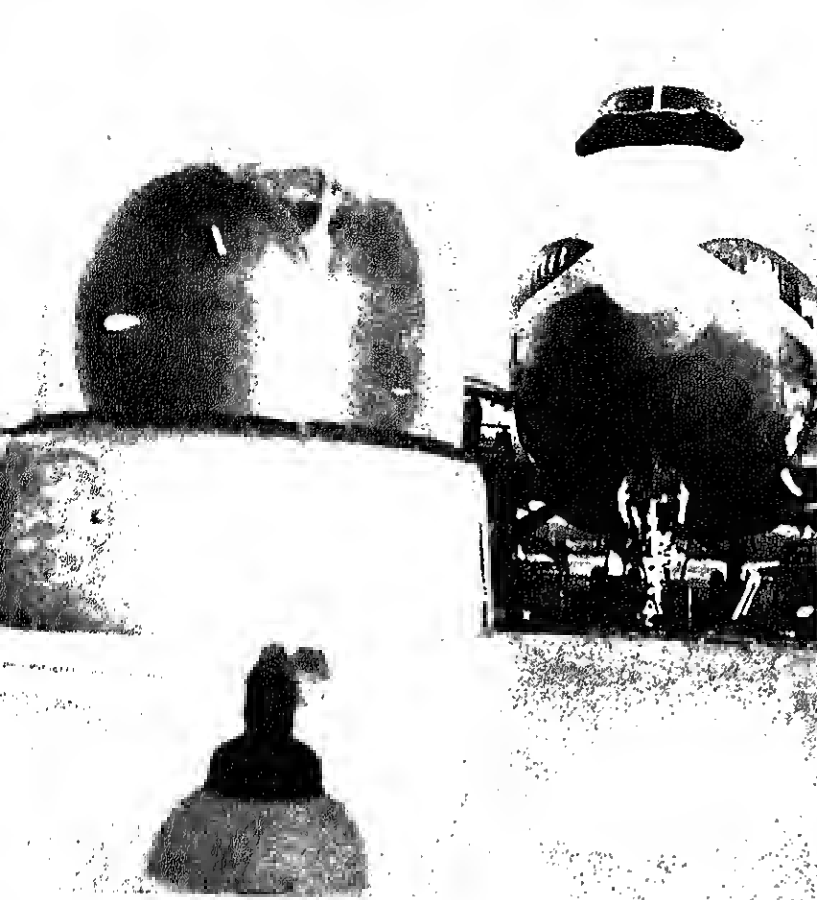
## Federal Aviation Administration

The Federal Aviation Administration (FAA) operates a number of programs relating to Federal law enforcement and criminal justice assistance activities.

These programs center, primarily, on antihijacking efforts, including civil aviation security and international security.

Other programs involve drug-abuse prevention, aircraft theft and smuggling, Federal criminal intelligence and information, assistance to State and local law enforcement agencies, and organized crime.





Security patrol at airport.

Descriptions of all those programs follow below.

FAA was established by the Federal Aviation Act of 1958, which Congress passed "... to create a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and to provide the safe and efficient use of the airspace by both civil and military aircraft, and for other purposes." (72 Stat. 731).

The name of the organization later was changed from Agency to Administration. The Department of Transportation Act made it part of that Department in 1967.

## Aerial Piracy

The Federal Aviation Act of 1958 was amended in 1961 to prohibit aerial piracy, and it placed FAA directly in the business of coping with this unlawful activity.

As amended, the act imposes penalties ranging from 20 years in prison to death for hijacking. It also prohibits the carrying of a concealed weapon aboard an aircraft, interfering with the aircraft crew, or relaying false information about hijackings.

by the Arab guerrillas, President Nixon announced on September 11, 1970, actions to combat hijacking, declaring that air piracy would be effectively dealt with even as piracy on the high seas had been dealt with by the United States and other countries a century and a half before. The President called for:

- (1) Armed Federal Government guards on flights of U.S. commercial air carriers;
- (2) Extension, under the control of the Department of Transportation, of the use of metal detection equipment and other surveillance techniques by American flag carriers at all gateway airports and other appropriate airports in the United States, and in other countries wherever possible;
- (3) Accelerated Federal Government efforts to develop security measures, including new methods for detecting weapons and explosive devices;
- (4) Full consultation with foreign governments and foreign air carriers on antihijacking techniques; and
- (5) More effective international antihijacking arrangements.

The President announced that the Secretary of Transportation would direct this program and take responsibility for further proposals, working closely with the Secretaries of State, the Treasury, and Defense, and the Attorney General. Operational responsibility within the Department of Transportation for this program was signed to the Federal Aviation Administration.

## Civil Aviation Security Program

**Air Guard Program.** Starting in October 1970, the military services provided 800 sky marshals to assist the civilian Federal agents originally assigned to protect U.S. scheduled airlines while civilian guards were being recruited and trained. By May 25, 1971, the last of the military guards were replaced by Department of the Treasury Customs Security Officers.

Almost 1,300 Customs Security Officers have been trained by Treasury and FAA personnel at the Department of the Treasury school at Fort Belvoir, Va. There are currently 1,100 Customs Security Officers, of whom 750 are on duty at any given time as air guards.

The training of Customs Security Officers, which had been terminated, was resumed on August 23, 1971, in order to increase the strength of the force to 1,500. Although no hijackings succeeded on aircraft carrying guards in the 6 months from March through August 1971, there were at least 10 serious incidents when passengers had to be restrained by the guards for attacking cabin attendants or for uttering threats.

Five arrests were made aboard aircraft after hijacking announcements were made. The Air Guard Program



Target shooting (top) in sky marshal training class.

Sky marshal trainees (right) practice unarmed defense.

is still viewed as a short-term measure, hopefully to be phased out within 2 years as airline and airport ground security provisions are strengthened.

On September 11, 1970, the President designated the Secretary of Transportation to coordinate an interdepartmental program to cope with the hijacking of U.S. aircraft. FAA, as the executive agent for the Department of Transportation, received \$28 million to pay its expenses and to reimburse other departments for their services. During FY 1971, this money was used to pay the Department of Defense for 800 military sky marshals, the Department of the Treasury for 1,263 Customs Security Officers to conduct screening of passengers before boarding and to perform sky marshal duties, and the Department of Justice for 230 U.S. Marshals to conduct screening of passengers before boarding.

**Passenger screening.** The heart of the domestic passenger screening system continues to be the use of the behavioral profile in conjunction with a metal detection device (magnetometer). The airlines have the primary responsibility for training their personnel in use of the system and for buying the necessary equipment.

The program is completely voluntary and participation by the air carriers has been less than satisfactory. Most hijackings could have been prevented if prescribed procedures had been conscientiously followed. Federal security personnel and local law enforcement agents provide ground assistance to airline personnel in the screening process.



**Air cargo security.** A detailed program was adopted on August 25, 1971, including target dates for completion of specific tasks. The program encompasses the following areas:

- ☐ Cargo loss reporting;
- ☐ Cargo accountability and documentation;
- ☐ Packaging, labeling, containers, and seals;
- ☐ Carrier liability, insurance, and loss claims;
- ☐ Physical and procedural security measures;
- ☐ Personnel security measures;
- ☐ Coordination of Federal programs;
- ☐ Coordination of State and local government programs;
- ☐ Law enforcement and criminal prosecution;
- ☐ Testing of experimental projects under field conditions; and
- ☐ Security research and dissemination of technical data.

FAA security personnel located in the field are responsible for assisting the airport operators, air carriers, and others in improving the security capabilities of more than 500 principal airports in the United States. They will also make very significant contributions to the cargo security programs.

**Interdepartmental efforts.** The Bureau of Customs has instituted efforts to prevent cargo theft at international airports of entry. A pilot project which was started at John F. Kennedy Airport on May 15, 1970, has significantly reduced such thefts.

Under the guidance of the Interdepartmental Committee for Transportation Security, with the Assistant Secretary of Transportation for Safety and Consumer Affairs as chairman, all relevant elements of the Federal Government are now being mobilized to reduce cargo thefts.

**Information network.** U.S. flag carriers serve over 140 points in about 80 countries and dependencies. Many hijacking and bomb threats have concerned these U.S. flight operations outside of the United States. The Department of State and FAA have developed procedures for disseminating alert notices to American embassies with respect to such threats.

The purpose of disseminating such information is to alert Government and airline personnel to the increased possibility of incidents and to permit the timely use of measures to eliminate or reduce the opportunity for an attack. It is also intended to increase the likelihood that a criminal will be detected before the crime is actively underway or that he is apprehended before he can carry out his unlawful intentions.

## Drug Abuse Prevention

FAA has been concerned with the involvement in narcotics and drug abuse of persons in the aviation industry holding FAA certification, especially those holding a Pilot or Flight Instructor Rating. Another FAA concern is the use of aircraft in smuggling narcotics and drugs into the country.

Intelligence points to the increased smuggling of drugs and narcotics by general aviation aircraft from Mexico and points south into the border States of Texas, New Mexico, Arizona, and California and also into Florida areas. Many of the aircraft being utilized for this purpose are stolen. Smuggling operations are simplified by gaps in radar coverage and easily accessible and remote landing sites.

FAA approved a program designed to increase its capability to detect, investigate, and prevent narcotics and drug abuse affecting aviation safety. This program involves, to varying degrees, most staff elements and all supervisors in the agency.

Various phases of the program are being implemented. A drug awareness committee was formed, which includes senior representation from the Office of Air Transportation Security, General Counsel, Associate Administrator for Manpower, Office of Labor Relations, Office of Training, Office of Aviation Medicine, and Office of Public Affairs, with the Deputy Director of Air Transportation Security as its chairman.

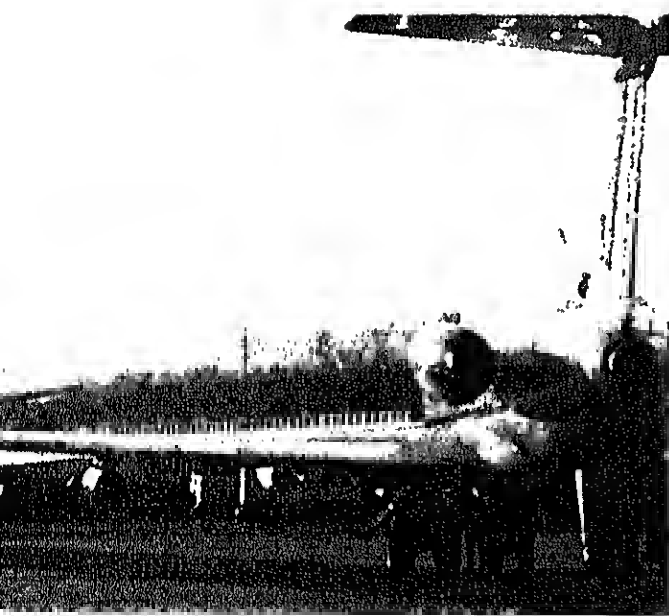
**Drug arrests.** By arrangement with the FBI Identification Division, the Office of Air Transportation Security is informed of arrests in drug cases where the fingerprint card submitted by arresting authorities indicates the subject is involved in aviation.

This procedure was established in FY 1972 at the request of the General Counsel, so that action could be taken against certificated pilots and flight instructors under section 61.6(a) of the Federal Aviation Regulations (Carriage of Narcotic Drugs, Marijuana, and Depressant or Stimulant Drugs) when conviction results. The program is supplemented by liaison with State and local law enforcement agencies to assure notification when such arrests occur.

## Aircraft Theft and Smuggling

In view of the fact that the theft of aircraft and the smuggling of narcotics and dangerous drugs are related, FAA has been devoting extensive efforts on projects designed to improve the effectiveness of FAA and interested law enforcement agencies in their efforts to combat crimes in which aircraft are involved.

In light of an increase in the theft of general aviation aircraft and avionics, FAA is revising and strengthen-



ing procedures regarding law enforcement alert messages. Alert messages are sent out by flight service stations to other interested FAA activities at the request of the FBI, Bureau of Narcotics and Dangerous Drugs, Bureau of Customs, and other Federal, State, and local agencies.

The messages are in support of the efforts of these agencies in locating stolen aircraft or aircraft suspected of having been involved in some criminal act such as smuggling, robbery, theft, and flight to avoid prosecution.

## **Federal Criminal Intelligence and Information Systems**

The Office of Air Transportation Security and its regional and center components perform a reciprocal intelligence function with other Federal, civilian, and military units relating to employees, applicants for employment, contractors to the FAA, airmen, and air carriers, either currently certificated or seeking certification from FAA.

Confidential background resumes, identification, and documentation resulting from inquiries are furnished those entities. Documentation is obtained from the official aircraft and airmen registration records maintained by the FAA Aeronautical Center, Oklahoma City, Okla.

ings and training included information on passenger-screening procedures, bomb and sabotage threat-response procedures, and related air transportation subjects.

## Specialized Activities Against Organized Crime

The Office of Air Transportation Security, in its work with the Federal effort against organized crime, researches names of individuals who are of investigatory interest to law enforcement entities nationwide against the airman and aircraft records at the agency's Aeronautical Center.

This is done on a routine basis to ascertain whether those who are either known criminals appearing on the organized crime list or are of intelligence interest to another law enforcement agency are identifiable with currently certificated pilots and owners of aircraft.

## United States Coast Guard

The United States Coast Guard is the primary maritime enforcement agency of the United States Government.

In carrying out its law enforcement mission, the Coast Guard centers its activity on protecting the safety of ships, boats, ports, and offshore structures; enforcing environmental protection and conservation laws; and enforcing the laws of the United States when any crime is committed in the territorial waters of the United States.

The Coast Guard also provides assistance to other law enforcement agencies when requested by supplying information on wanted merchant seamen, or on crimes discovered in the course of its investigative mission, and by delivering law enforcement officers to remote crime scenes and supporting them as required.

**Background.** On August 4, 1790, Congress enacted a statute which empowered the President to build and equip not more than 10 revenue cutters to better secure the collection of duties imposed on goods and tonnage.

During the next 125 years, other duties were added. These include (with dates of implementation):

- ☐ 1797—Enforcement of quarantine laws;
- ☐ 1818—Employment of naval forces to enforce neutrality laws;
- ☐ 1819—Employment of armed vessels to suppress the slave trade;
- ☐ 1837—Aid to distressed vessels;
- ☐ 1867—General police enforcement powers in Alaska;
- ☐ 1885—Enforcement of fisheries laws;
- ☐ 1906—Destruction of derelict vessels;
- ☐ 1908—Patrol of regattas;
- ☐ 1910—Regulation of motorboats; and
- ☐ 1915—Enforcement of anchorage regulations.

In 1878, houses of refuge, previously established for the protection of mariners along the seacoasts by humanitarian groups, were taken over by the Federal Government, and the Lifesaving Service was established. In 1915, it was merged with the Revenue Cutter Service and the



Travelers pass through Customs clerk.

In 1939, the Lighthouse Service was merged with the Coast Guard, and in 1916 the Bureau of Marine Inspection and Navigation became a permanent part of the Coast Guard.

Executive department reorganization shifted the Coast Guard from the Department of the Treasury to the Department of Transportation on April 1, 1967. This transfer resulted in additional duties of bridge administration, vessel admeasurement, and documentation and anchorage regulations.

The Coast Guard is a military service and a branch of the Armed Forces of the United States. The service employs approximately 37,000 military and 6,000 civilian personnel and operates some 160 aircraft, 347 ships, and 1,300 shore units.

**Authority.** As the primary maritime law enforcement agency of the United States, the Coast Guard receives broad authority to act from 14 U.S.C. 89. This statute, which created the general law enforcement power of the Coast Guard, authorizes personnel to make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction for the "prevention, detection and suppression of violations of laws of the United States." Additionally, other statutes specifically empower the Coast Guard to act in certain situations as a primary or secondary law enforcement agency.

**Mission.** The Coast Guard today is assigned seven major missions: (1) search and rescue; (2) aids to navigation; (3) merchant marine safety; (4) boating safety; (5) oceanography, meteorology, and polar operations; (6) military preparedness and reserve training; and (7) port safety and law enforcement.

This responsibility is broad, and because of the service's multi-mission nature, it is difficult to identify what share of resources are used specifically in law enforcement (e.g., a Coast Guard vessel serving as an aid to navigation may be diverted to perform a search and rescue or law en-



**Law enforcement.** Law enforcement missions may be placed in the following categories: (1) marine traffic control and safety; (2) ship, boat, and offshore structure safety; (3) port safety and security; (4) environmental protection; (5) conservation; (6) criminal law; and (7) cooperative law enforcement.

Descriptions follow of activities performed in carrying out those missions.

## Marine Traffic Control and Safety

This is primarily a Coast Guard responsibility; however, there are several areas within which the Coast Guard cooperates with other agencies. The Coast Guard and U.S. Army Corps of Engineers cooperate to enforce regulations in harbors and anchorage grounds, and to protect navigable waters, as well as river and harbor improvements.

Section 13 of the Rivers and Harbors Act of 1899 (33 U.S.C. 407), referred to as the Refuse Act, forbids the dumping of trash and refuse into navigable waters. This statute has often been cited in oil pollution incidents involving ships and shoreside facilities. Criminal or civil action may be taken.

The Coast Guard makes and enforces special regulations in response to requests from other agencies such as U.S. Navy, National Aeronautics and Space Administration, Atomic Energy Commission, various port maritime authorities, and local municipal agencies. Under the authority of Executive Order 10173, as amended, and pursuant to the Act of June 15, 1917 (40 Stat. 220; 50 U.S.C. 191), security zones may be established by the Coast Guard for the purpose of assisting other agencies in some important tasks.

During rocket launching operations at Cape Kennedy, a security zone is established. The security zone—as a sabotage prevention and safety measure—is closed to all vessels and persons except those authorized by the Coast Guard.

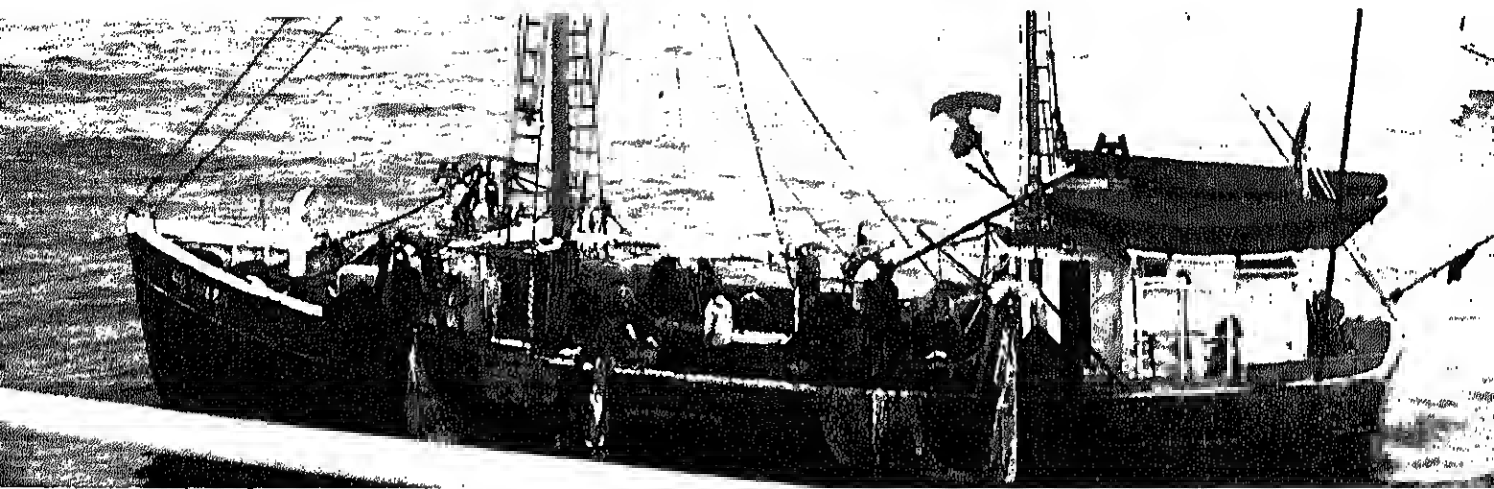
Under these provisions, security zones have been established by the Coast Guard to keep marine traffic out of that portion of the danger areas surrounding nuclear test sites, and to protect Federal facilities from harassment or sabotage from dissident groups. Violations of security zones can result in criminal action being taken against the offender.

Coast Guard and Federal Communications Commission cooperation has resulted in successful prosecution of personnel abusing maritime distress frequencies by transmitting false emergency information.

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A United States Coast Guard cutter overtaking a stolen vessel.





Routine Coast Guard inspection of fishing vessel off the New England coast.

Coast Guard forces always respond to distress calls and a false transmission can result in possible loss of life, not to mention the costs to the Government in terms of manpower and equipment.

## **Ships, Boats, and Offshore Structure Safety**

Enforcing laws and regulations in this area includes cooperation with many other agencies. The Coast Guard inspects and regulates ships of the U.S. Merchant Marine for physical protection of crew, passengers, and cargo.

The Office of Merchant Marine Safety cooperates with law enforcement agencies in several ways. For the most part, Coast Guard personnel are provided pertinent information by the Federal and local law enforcement agencies. A notable exception to this flow of information is the background information provided to the authorities for the purpose of locating persons wanted by them.

This background information, which is provided by both local field offices and headquarters personnel, consists mainly of pictures, handwriting samples, and recent addresses. This assistance, although minimal in time and effort, is of considerable value, considering the transient pattern of merchant seamen's lives.

Coast Guard Marine Inspection Offices, because of their location and vessel-oriented contacts, are in a position to offer Federal and local law enforcement agencies assistance in locating wanted merchant seamen and, in some instances, to provide the law enforcement agencies with concrete evidence. For example, the growing public

covered and, if so, are subsequently referred to the appropriate law enforcement agency.

Specifically, Rev. Stat. 4150 charges relating to the legal possession of narcotics occasionally provide Coast Guard investigators with information which is not readily available to law enforcement agencies. Close liaison between these field offices and local authorities provides an exchange of information which is beneficial to law enforcement.

From time to time Coast Guard personnel engaged in investigations of casualties have provided law enforcement agencies with sufficient background information regarding violations of laws not within the purview of the Coast Guard to enable them to take concrete action.

## **Port Safety and Security**

The port safety and security program is directed toward minimizing damage to port facilities and vessels under U.S. jurisdiction. This is done through a program of inspecting and patrolling of facilities and vessels, controlling movements of vessels when they present a threat to cargo carried, and supervising the loading of explosives and other hazardous cargoes.

These efforts are directed by Coast Guard officers designated as Captains of the Port in 55 U.S. ports. Personnel in addition to the Captain of the Port are specifically assigned to the port safety function in 42 of these ports.

The primary object of the program during peacetime is to detect and require correction of conditions which might result in calamitous fire or explosion. In time of national emergency or war, the emphasis is placed on preventing loss through sabotage or other subversive activities.

In 1968 and 1969, a Florida-based anti-Castro Cuban exile organization gained notoriety by declaring war on free world nations trading with Cuba. Numerous bombings and attempted bombings were directed against world merchant ships of Great Britain, Japan, Spain, Mexico. These vessels were subject to attacks while en route at U.S. ports. Bombings and attempted bombings occurred at Miami, Jacksonville, and Tampa, Fla.; Orleans, La. and San Juan, P.R.

vented additional bombings and assisted the FBI.

Forces continually work closely with the Bureau of Customs and the Immigration and Naturalization Service in the control of smuggling and illegal aliens.

In FY 1970, approximately 1,400 personnel were involved in the port safety program.

## Environmental Protection

In addition to enforcing the provisions of the Refuse Act of 1899, the Coast Guard enforces oil pollution statutes. Although Coast Guard efforts are directed toward safety, prevention, and control, discharges involving negligence can carry criminal penalties. In all pollution cases the Coast Guard coordinates and supports local efforts of State and municipal governments.

## Conservation

The Coast Guard enforces conservation laws which protect wildlife or natural resources. In some cases it enforces treaties or conventions to which the United States is a party. Sometimes this enforcement is by request of the agency responsible for administration of the act, but more often, it is because the Coast Guard is named as an enforcing agency in the act.

The Coast Guard since early in the 1900's has conducted patrols to protect the Pribilof fur seal. This was followed by other patrols designed to protect halibut, salmon, and other wildlife species. Presently there are about 20 laws, treaties, and agreements which require Coast Guard air and surface surveillance.

In carrying out these duties the Coast Guard works closely with the National Marine Fisheries Service, the Departments of State, Justice, and the Interior, and various State governments. The five major enforcement areas are the New England Coast, Mid-Atlantic Coast, Northwest Coast, Alaska, and the West Coast of Central America. In the latter area, enforcement is primarily designed to fulfill U.S. treaty obligations which protect the yellowfin tuna.

The early enforcement of fisheries law violations usually was limited to warning an intruding vessel and escorting it to the high seas. Diplomatic protests or violation reports were sometimes filed with the offending vessel's government.

In recent years a greater concern for protection of ocean resources coupled with a national and international awareness of the importance of conservation has resulted in stricter enforcement. In FY 1971, 11 foreign vessels were seized and their masters arrested for violation of conservation laws, and \$240,500 in penalties were collected.

## Criminal Law

Federal law (18 U.S.C. 7) defines the term "Special maritime and territorial jurisdiction of the United States."

However, other crimes such as sabotage, stowing away, searches and seizures, treason, piracy, and barratry are solely the responsibility of the Federal Government.

The laws of the United States may be enforced in the territorial waters on any person or vessel, foreign or domestic. Any extensions of the effect of these laws beyond the territorial limits of the United States will usually apply only to U.S. vessels and citizens.

The Coast Guard acts as the primary law enforcement agency when any crime is committed on the high seas. The Coast Guard also supports other Federal law enforcement agencies by delivering law officers to a remote crime scene and supporting them as required.

**Assistance to other agencies.** The extensive deployment of Coast Guard ships, stations, and personnel, coupled with maritime expertise, is such that it is often called upon by Federal, State, and local law enforcement agencies to render assistance in a variety of law enforcement functions.

Other examples of Coast Guard assistance to other agencies include:

(1) In FY 1971, U.S. Customs launched a massive effort to stop the illegal flow of drugs and narcotics into the United States from Mexico. This effort, named Project Intercept, required extensive use of Coast Guard aircraft and surface vessels along the Gulf and Pacific Coasts. Several vessels carrying illegal drugs were apprehended by the Coast Guard during this operation.

(2) On May 13, 1971, the Coast Guard assisted Customs in apprehending two fishing vessels arriving in San Francisco with 5 tons of marijuana. This is believed to be the largest single marijuana shipment seized.

(3) In FY 1969, the Coast Guard took an active part in the location and identification of kidnappers in Florida. After ransom was paid, the kidnappers fled by boat. Coast Guard helicopters and surface units assisted the FBI in locating the boat and kidnappers.



Illegal arms seized by Coast Guard.

the employee was arrested on a State charge of causing a fraudulent claim to be presented. He was first suspended from employment during the investigation, resigned while under investigation, and has now been sentenced to 1 year in prison (suspended), fined, and placed under the jurisdiction of the pardon and parole authorities after a plea of guilty.

In March 1971, a property owner in a southern State was found guilty in State court of fraud in the acquisition of property to be used in the Interstate highway system. He was sentenced to a term of 1 year in prison (suspended) and fined \$30,000.

In FY 1969, FHWA employees noted a possible need for review of State maintenance accounts and activity in a northwestern State.

As a result, the former chief accounting supervisor of that State was arrested on 19 counts of obtaining money under false pretenses. In the period 1962 to 1969, approximately \$485,000 in State funds were in question, and he was charged with obtaining \$309,000 under false pretenses. He entered a plea of guilty and was sentenced to 14 years in prison.

Also in FY 1969, a joint Federal and State investigation in a northeastern State resulted in a State conviction of a principal negotiator by the State highway department and a property owner in connection with the requisition of property on a Federal-aid project. The negotiator was sentenced to not less than 1 or more than 3 years and fined \$500. The property owner was sentenced to not less than 2 years or more than 3 years and fined \$200.

## Bureau of Motor Carrier Safety

The mission of enforcing motor carrier safety regulations is assigned to the Bureau of Motor Carrier Safety within the Federal Highway Administration.

The Bureau works in close cooperation with State and local agencies in enforcing laws relating to safety of motor carrier operations and also regulates the transportation of hazardous materials in interstate or foreign commerce by carriers operating motor vehicles.

The mission of carrying out motor carrier safety responsibilities was transferred from the Interstate Commerce Commission to the Department of Transportation by the Department of Transportation Act.

The Bureau issues and enforces the Motor Carrier Safety Regulations (49 CFR Parts 390-397) which are promulgated under the authority of section 204 of the Interstate Commerce Act, 49 U.S.C. 304, and prescribes requirements relating to qualifications and maximum hours of service of employees of common and contract and private carriers by motor vehicles in interstate or foreign commerce, as well as the safety of the equipment they use.

**Hazardous material regulation.** The Bureau also participates in the operations of the Hazardous Materials Regulations Board which, under the authority of 18 U.S.C. 831-835 (commonly referred to as the Explosives and

In P.L. 89-170, enacted in 1966, Congress, section 204(f) of the Interstate Commerce Act, authorized the Interstate Commerce Commission to make agreements with the various States to enforce the economic and safety laws of the State and Federal Government regarding highway transportation.

With the transfer of jurisdiction over highway safety to the Department of Transportation, the FHWA responsibility for carrying out P.L. 89-170 as a safety regulation. On September 19, 1967, the Highway Administration issued regulations for the procedures for entering into cooperative agreements and setting forth the general outline of the conditions of such agreements. The regulation is found in 49 CFR Part 398.

Any State may agree with the FHWA to enforce State and Federal laws relating to safety of motor carrier operations by filing a written acceptance of the standard agreement. The acceptance is in the form of a letter signed by the head of the State having jurisdiction over motor carrier safety or his service commissioner. A State may elect to enter into a specified part of the standard agreement.

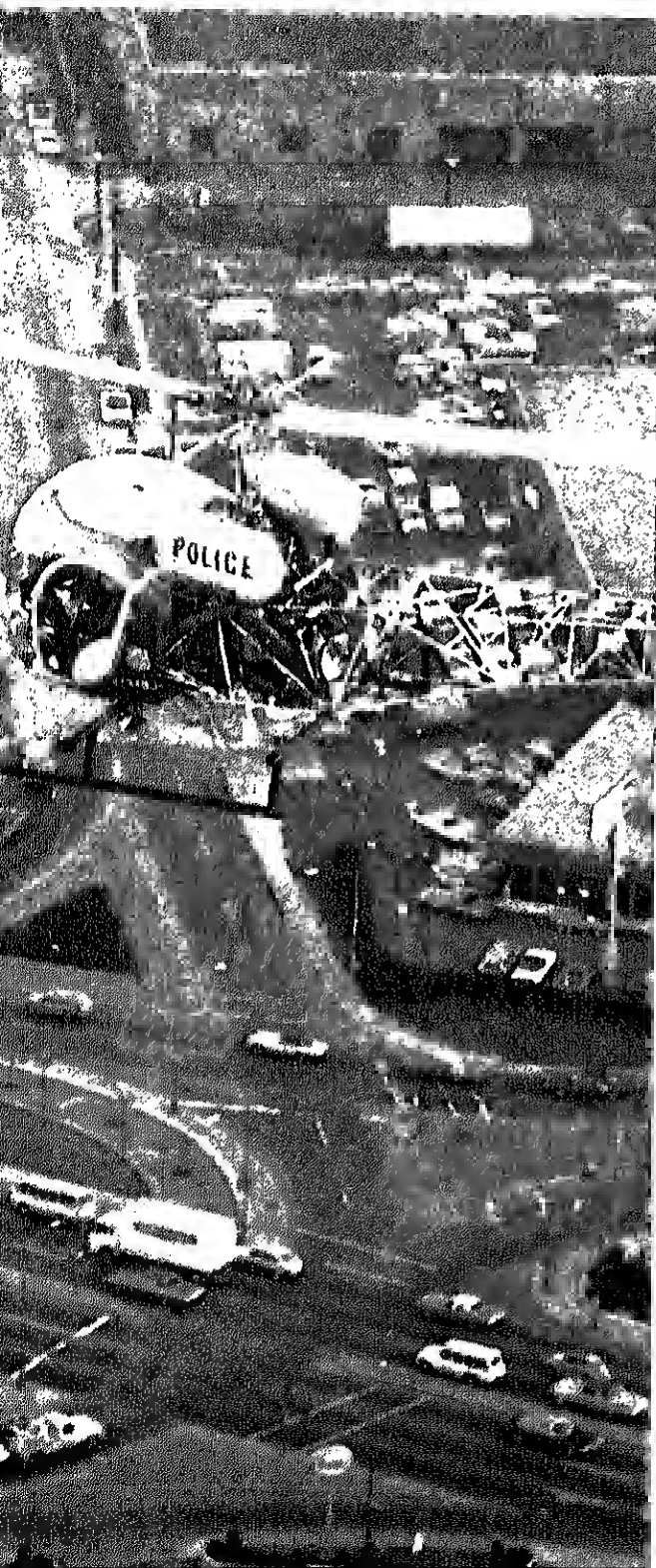
At present, every State, as well as the District of Columbia, has entered into a cooperative agreement with FHWA.

**Information sharing.** Evidence of a violation of a regulation of the State pertaining to motor carrier safety is transmitted to the appropriate State and Regional Federal Highway Administration. When a State official obtains evidence that a violation of the Federal Government relating to motor carrier safety has been violated, the information is transmitted to the appropriate FHWA Regional Administrator.

When a State authority so requests in writing, FHWA will obtain evidence for use by the State in the enforcement of the State laws and regulations governing interstate motor carrier operations. Evidence is sent to the State, and the Federal investigation is available when necessary to testify as a witness in enforcement or other proceedings.

Similarly, upon a request from a Regional Highway Administrator or his designee, State law enforcement officials obtain evidence for use in Federal enforcement proceedings and send it to the FHWA. State law enforcement records are also made available to testify in enforcement proceedings.

**Joint inspections and examinations.** Regional Highway Administrators are authorized to enter into agreements with State agencies for joint inspections and examinations of the records and equipment of motor carriers and others by joint State-Federal enforcement forces. Accidents involving commercial vehicles are jointly investigated. Evidence gathered is exchanged, and State and Federal law enforcement personnel are available to testify in any proceeding arising out of a joint operation, whether the proceeding is Federal or State.



**Joint conferences.** In addition, there are frequent joint conferences of staff members of the Federal and State agencies. The purpose of these conferences is to exchange information relating to the nature and authority of the agencies and the laws of the States and Federal Government relating to transportation of both general commodities and hazardous materials.

**Training programs.** Investigators of the Bureau of Motor Carrier Safety are frequently instructors in State training programs. State law enforcement personnel participate in training schools and programs operated by the Bureau. In addition, the Bureau furnishes technical assistance to the States in such areas as the design of forms, the preparation of reports, and investigatory techniques.

**Investigator force.** There are approximately 100 field investigators of the Bureau of Motor Carrier Safety. All of them participate in the joint Federal-State cooperative program.

## National Highway Traffic Safety Administration

Direct assistance to State and local police agencies in carrying out their traffic law enforcement functions is provided by the National Highway Traffic Safety Administration (NHTSA).

This agency operates programs which provide financial support for police traffic patrols; upgrade police department recordkeeping; establish police training programs; provide police training equipment; fund police communications, helicopters, and mobile equipment; improve traffic court administration; and rehabilitate drivers who have a drinking problem.

### Background

The NHTSA originally was established as the National Highway Safety Bureau and was part of the Federal Highway Administration. In 1970, it was transferred from FHWA and established as a separate administration within the Department of Transportation. It enforces appropriate provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718), as amended; of the Highway Safety Act of 1966 (80 Stat. 731), as



Police helicopter over Pennsylvania highway.

amended; and of other relevant laws. It has a mandate from Congress to reduce the number of deaths and injuries resulting from traffic accidents on the highways of the Nation.

Total resources made available by the Congress to fund the responsibilities of the Highway Safety Act of 1966 for FY 1971 were \$91,800,000; 361 persons were employed to administer this act.

## Police Traffic Patrols

NHTSA conducts a program of support for additional manpower for police departments to help them cope with traffic problems.

Funding for the program is provided under section 402 of P.L. 89-564.

NHTSA urges participating police departments to bring about reductions in traffic accidents by concentrating on those violations of law which cause traffic accidents, and by identifying statistically where manpower needs are greatest and at what times of day manpower is most needed.

Since greater numbers of serious traffic accidents occur during evenings and hours of darkness, the bulk of manpower financed under these programs is aimed at this time frame.

A specific statistic indicating that a reduction in both traffic accidents and crime-related activity can be attained has been developed by the Flint, Mich., Police Department. Twenty-eight new men assigned to a tactical traffic squad increased contacts with motorists over and above the previous effort of patrol and traffic units. During the first year of operation, members of the tactical squad made 205 wanted-felon arrests more than all other divisions in the department during the same period.

Three additional sites (Sacramento, Calif., El Paso, Tex., and Chattanooga, Tenn.) have been selected to demonstrate that selective assignment and enforcement do reduce traffic accidents. As part of the evaluation process, the effect of additional men working in specific locations will be measured against previous data related to crimes occurring during similar periods.

Other programs funded in 26 States have increased total manpower on the street. A total of 132 projects ranging in size from one to as many as 14 men now patrol streets and highways in selected communities.

## Police Recordkeeping

NHTSA encourages police departments to upgrade quality and quantity of records data. The thrust is at State levels with direction to develop and implement statewide uniform reporting of traffic-related data, traffic accidents, violations, adjudication of cases, incompetent or mentally disturbed drivers, and condition of vehicles.

for traffic violations.

Since traffic and crime records are so closely inter-related, both the Law Enforcement Assistance Administration (LEAA) and NHTSA have joined forces frequently to fund records projects that upgrade both aspects of this data bank. Currently, West Virginia and Iowa are developing statewide integrated traffic records and criminal justice information systems with the assistance of LEAA and NHTSA.

## Police Training

One of the great weaknesses of police services is the lack of trained personnel.

Many police departments which in the past could not provide training opportunities now find it possible under NHTSA programs.

Training under these programs is oriented toward investigations of traffic accidents. But the same principles apply in those situations as in situations involving violations of criminal law.

A review of course curricula for recruits or in-service training shows that approximately 90 percent of the subjects listed are applicable to traffic or crime response.

Approval of training projects has a high priority within NHTSA. In the past 3 years more than 50 percent of all funding available to police agencies, approximately \$24 million, has been spent for training.

State and community training programs have provided these courses for 18,310 officers. This training involved recruit and in-service, as well as supervisory and administrative courses.

**Course length.** Course length ranges from 20 to 600 hours. The longer training courses are usually provided for State police, but the need for qualified officers is as great in metropolitan areas and the larger municipalities.

Minnesota has developed a program that is an outstanding example of what can be done to provide training for all police departments in communities of more than 5,000. This program started in 1969 and will attain its objective of presenting 140 hours of training to each officer by 1973.

Since most police departments cannot spare manpower for extended periods to attend training programs, this training is conducted in 40-hour blocks annually. This approach will enable Minnesota to meet training requirements identified in the Police Traffic Services Standard.

Training other than that provided by the departments has also been utilized. Training programs conducted by universities have been attended by 861 officers.

This training is primarily directed toward operational and first-line supervisory personnel. However, police departments are developing an awareness of the need to prepare staff and administrative personnel and have been sending command officers, at an accelerated rate, to training programs of 4 to 9 months in duration.

**Training academies.** NHTSA has funded construction of six training academies.

California, which has the largest project funded, will provide training to all departments within the State. A building for this purpose makes it possible to operate on a year-round basis, making training available to more officers than was previously possible.

South Carolina's academy is a jointly funded project with LEAA. Specific training programs are conducted with emphasis either toward crime or traffic. Again, this new academy will enable South Carolina to train officers who in the past did not have an opportunity to attend.

## Police Training Equipment

More than 175 training equipment projects have been funded by NHTSA. Included are video cameras, projectors, film, and other training aids.

Video cameras especially have application for traffic and crime work. They provide filmed evidence of drivers under the influence of alcohol as well as a record of a total crime or traffic accident scene. Voice recorders operated in conjunction with the camera may be used for recording questioning of suspects and witnesses.

Films of accidents or crime scenes are frequently used in training programs. This assists students in learning proper techniques of investigation and in criticizing the work portrayed in the film.

## Police Communications

NHTSA has funded communication projects for 355 State and community police departments. Justification for this funding was that it would provide faster response time to traffic accidents. Improved communication also reduces response time to any police assistance request.

Additionally, 796 walkie-talkies have been purchased with NHTSA funds. These units make it possible for police officers away from their vehicles to be contacted by base stations and to respond.

Foot patrols are reachable with proper communications, making them more effective in crime suppression, as well as available for point and intersection traffic control as needed.

## Police Helicopters

Interest shown by the States and some local political subdivisions in operating helicopters for traffic supervision is enormous.

Original applications for grants had justifications that indicated they would be used specifically for traffic, while



limited success in crime supervision. Primarily, they have contributed to lifesaving, when used to evacuate persons injured in traffic, and to enforcement of speeding laws.

They have been used to apprehend fleeing bank robbers, to tail vehicles leaving crime scenes, to light areas and search for wanted persons, for surveillance of rooftops, and for overseeing riot areas and filming the events.

Helicopters have a mission in police work; however, it cannot be justified, on a cost basis, that they be assigned to one phase of police work alone. They must be assigned as an all-purpose unit available on the basis of need.

With the above comment noted, NHTSA and LEAA have funded one helicopter for San Antonio, Tex. Reports confirm that the total activity is an even mix of traffic supervision and crime-control activity.



Police helicopter, Washington, D.C.

## Police Mobile Equipment

NHTSA has funded the purchase of 491 police vehicles as well as 193 motorcycles. In each purchase, the department was required to equip the vehicles so they were readily identified as police units. Since NHTSA advocates voluntary compliance with the law, its policy is to fund the purchase of marked vehicles. These vehicles are also identifiable to the criminal element and should produce a restraining effect on their activities.

## Traffic Court Administration

The major matching-grant projects funded to date under the Traffic Courts Standard program have been studies of traffic courts in the States of Arkansas, California, Indiana, Louisiana, Mississippi, Missouri, Oklahoma, Virginia, and Washington, and the development of uniform

participating in the cost of personnel and facilities.

Driver improvement schools for violators are funded through courts in Dallas and El Paso, Tex., and Sullivan County, Tenn. The expenses of judges attending American Bar Association Regional Traffic Court Programs also are defrayed under these projects.

Another project is the State of Washington traffic court administrator in-service training course. It consists of a 5-day court administration training course, attended by 50 traffic court clerks under the sponsorship of the Washington administrator for the courts.

Some of these courts are responsible for both traffic and other cases requiring adjudication. Funds committed in this program area are \$1,803,152.

## Alcohol Safety Action Program

Nine Alcohol Safety Action Program (ASAP) sites became operational during FY 1971. NHTSA provided demonstration funds in the amount of \$15,579,576. The goals are to identify drinking drivers and to utilize official agencies to rehabilitate those with drinking problems.

One of the key elements in ASAP is employment of additional manpower to patrol streets and highways. A total of 43 men are assigned to these nine projects.

One of the conditions of these projects is that personnel will work when the greatest number of alcohol-related traffic accidents occur. Analysis of accident data has identified the hours of 8 p.m. to 4 a.m. as that time period.

This time frame coincides with the time when many crimes against persons and property occur. With additional manpower operating during those hours they should affect the crime rate in their jurisdictions.

Funds for the enforcement aspect of these programs amount to \$3,555,000.

Twenty additional sites will become operational during FY 1972 and increase the number of police officers substantially.

## Urban Mass Transportation Administration

The Urban Mass Transportation Administration (UMTA) funds two study projects aimed at reducing robberies and assaults on bus drivers and at preventing vandalism of public transit property and violence to passengers.

UMTA administers the Urban Mass Transportation Act of 1964 (78 Stat. 302; 49 U.S.C. 1601 *et seq.*), as amended. The purposes of the act include assisting in developing improved mass transportation facilities, equipment, techniques, and methods; UMTA considers vehicle and passenger security part of that mission.

UMTA originally was established as part of the Department of Housing and Urban Development and was transferred to the Department of Transportation in 1966.

UMTA funded two projects in FY 1971 which related to Federal law enforcement and criminal justice assistance activities.

**Bus robberies.** The first is a study of robberies of and assaults on bus drivers. It was conceived in 1967, following numerous bus robberies and driver murders. The Alameda-Contra Costa Transit District of Oakland, Calif., applied for a grant to determine the causes, scope, and remedies for the problem. The project was funded originally by the Urban Transportation Administration of the Department of Housing and Urban Development, and continued after UMTA moved into the Department of Transportation. The project was funded with a Federal grant of \$206,092 and a \$103,016 non-Federal contribu-

high-risk runs, such as school trips.

(c) Use of cameras on low-traffic runs to record each passenger who boards.

(4) It was found that a number of technological and operational countermeasures that have been either installed or proposed by some transit properties are only marginally useful at best, including: alarms, weapons, two-way radios, and bus locators.

(5) Reliance on the police to apprehend sufficient numbers of bus criminals to deter bus crimes does not appear to be an effective strategy.

(6) Transit systems can take passive measures to reduce the crime problem, including improved driver training and intensive community-relations efforts, particularly among the disadvantaged.



Mass transit facility in median strip of expressway in Chicago, Ill.

tion. The study was carried out by the Stanford Institute of Research and the University of California.

The primary objective of the study was to develop an understanding of the nature and causes of robbery and assault of bus drivers and to propose and evaluate potential solutions to those problems.

The overall method of approach for the study was to use criminological research methods to determine the exact nature of robberies and assaults against bus drivers, and then to evaluate a series of possible solutions in terms of technical feasibility, cost, effectiveness in reducing crime, and acceptability to transit management, to drivers, and to the riding public.

The final report, delivered in December 1970, came to the following conclusions and made the following recommendations:

(1) The installation of exact fare systems has resulted in solving the robbery problem, but has left a residual assault problem that must be dealt with by other means. Exact fare systems have gained acceptance by the public, drivers, and management.

(2) Bus robberies are economically rather than racially motivated even though bus riders are overwhelmingly minority-group members. Driver assaults are generally committed by persons from deprived cultural back-



Bus in District of Columbia vandalized by arson.

**Passenger security.** UMTA has recently funded a new project to study vandalism and passenger security in transit vehicles, transit stationary property, and transit employee and passenger parking lots. The recipient of the \$194,000 Federal grant is the American Transit Association (ATA). The ATA will conduct a series of projects investigating various aspects of vandalism and passenger security related to urban bus operations throughout the country including identifying and categorizing the types of vandalism; estimating the cost to industry; surveying past campaigns, new restraints, and various controls; in-depth interviewing and questioning industry representatives and the public; and demonstrating vandalism-



The Administrative Office of the United States Courts compiles statistics on wiretapping by Federal and State law enforcement agencies, administers the Criminal Justice Act of 1964, supervises the Federal Probation Service, compiles statistics on Federal criminal cases, and supervises and administers the Federal court system generally.

The Administrative Office was created by the Act of Congress of August 7, 1939 (53 Stat. 1223; 23 U.S.C. 601). It is the administrative arm of the Federal judiciary and, as such, is supervised by the Judicial Conference of the United States, which has administrative responsibility for the Federal court system.

**Duties.** Among its administrative duties, the Administrative Office prepares and administers the budget for Federal courts and handles special matters relating to supplies and quarters for the courts; supervises the administration of the Bankruptcy Act; and exercises general supervision over clerical, administrative, and other court personnel, including probation officers and U.S. Magistrates. The Administrative Office also has duties in connection with implementing the Criminal Justice Act of 1964, as amended, and compiling statistics on wiretap applications acted upon by Federal and State judges.

## Wiretapping

In accordance with 18 U.S.C. 2519(3), every Federal and State judge is required to file a written report with the Director of the Administrative Office on each application made to him for an order authorizing the interception of a wire or oral communication.

Prosecuting officials who have authorized applications for intercept orders are required to file reports in January of each year setting forth various information concerning the communications that were actually intercepted, the cost of the intercepts, and the results of the intercepts in terms of arrests, trials, convictions, and the number of motions to suppress the use of the intercepts. All records are kept on a calendar year basis.

In the 12-month period ending December 31, 1970, there were 596 reports on applications for intercept orders made to Federal and State judges. No original applications were denied. Of the 596 granted, 182 were signed by Federal judges and 414 were signed by State judges. State judges in New York signed 215 authorization orders, 52 percent of all orders signed by State judges.

The 596 applications filed during 1970 compare with 301 applications filed during 1969 and 174 applications

filed from June 20, 1968, when the provisions of the act became effective, to December 31, 1968.

Prosecuting officials report that wiretaps installed in 1970 in accordance with court approval resulted in intercepted conversations ranging in frequency from one every day to 308 per day. The average number of persons intercepted by orders where an interception took place was 44; the average number of conversations overheard by these orders was 656. Total cost of an intercept in terms of manpower, equipment, and other costs ranged from \$11 to \$146,300 for an average cost of \$5,534.

## Criminal Justice Act

The Administrative Office administers the Criminal Justice Act of 1964 (P.L. 88-455).

The act compensates counsel appointed by the court for indigent defendants in Federal criminal cases in the pretrial, trial, and appellate stages. It also provides payment for investigations, experts, and other services.

Congress amended the act in 1969 to provide for a public defender service for any Federal judicial district that desired to establish one. In the alternative, the amendments authorized establishment of a community public defender organization operating either on a fee basis or on grants approved by the Judicial Conference.

The amendments also extended coverage of the act to ancillary and other proceedings and increased fee and total compensation provisions.

**FY 1971 statistics.** In FY 1971, Congress appropriated \$12 million for implementation of the act. Under the terms of the act, counsel were appointed for more than 38,000 defendants and 1,800 appellants. The district courts authorized \$122,777 for investigative, expert, and other services.

The new amendments to the act became effective on February 11, 1971, and by the close of FY 1971, seven districts had commenced operating under a Federal public defender system. Grants had been approved by the Judicial Conference for two community public defender organizations. The remaining judicial districts are operating either on a direct-assigned counsel system or under legal aid or defender organizations, relying entirely on the fee system.

## Federal Probation Service

The Administrative Office, through its Division of Probation, supervises the Federal Probation Service. The

of presentence investigations in FY 1971 was 9.3 percent higher than in FY 1970. A total of 41,463 investigations was made for the courts and the remainder for the Bureau of Prison institutions, the United States Board of Parole, United States Disciplinary Barracks, and for U.S. attorneys in juvenile matters.

The number of persons received for supervision during FY 1971 was 24,577, compared with 21,821 in FY 1970, an increase of 12.6 percent. During FY 1971, the daily per capita cost of Federal probation supervision was \$1.13 a day, or \$412.68 per year. The average cost per person served during the year is estimated at \$227.12.

During FY 1971, several legislative and administrative changes were made in regard to procedures and practices for the supervision of parolees and probationers.

In addition, a program for supervised aftercare for narcotic addicts was in effect, and two research projects were conducted.

Reports on those activities follow.

**Community Treatment Centers.** The Division of Probation collaborated with the Bureau of Prisons in drafting legislation to open facilities of Community Treatment Centers operated by the Bureau of Prisons to prisons on parole, probation, and mandatory release. It is expected that this new resource available to the courts will result in improved handling of many offenders in the community without the need for institutional confinement.

**Parole standards.** In FY 1971, new standards were promulgated for the supervision of persons on parole. This culminated several years of work by members and staff of the Board of Parole, the Division of Probation, and a committee of chief probation officers. The new standards will assist the probation officer in determining the degree of supervision he should exercise over each case to achieve the twin objectives of protecting the community and assisting the parolee to become a law-abiding, productive person.

**Transfer of jurisdiction.** The Committee on the Administration of the Probation System, a committee of seven Federal judges appointed by the Chief Justice of the United States to give policy guidance to the Judicial Conference regarding the Federal Probation Service, recommended that the Judicial Conference adopt a new transfer of jurisdiction policy. The Committee recommended that, whenever a probationer moves from one judicial district to another, jurisdiction be transferred concurrently with probation supervision. This policy is expected to enhance the effectiveness of probation supervision and save the expense of returning alleged violators to the original jurisdiction for revocation proceedings.

**Narcotic addict rehabilitation.** Probation officers provide community supervision for narcotic addicts treated under Title II of the Narcotic Addict Rehabilitation Act. In FY 1971, 408 persons had been released to aftercare, a program combining close supervision by the probation officer and intensive counseling in a suitable clinic.

Although the program is too new for conclusion, it appears that institutional programs by intensive and complementary post-release services can have a significant impact on narcotic addicts.

**Research.** For the past 2 years, the Division of Probation in conjunction with the field office, has conducted a research project for local offenders. To sponsor the Division of Probation Studies and Statistics Administrative Office and the Federal Judiciary which is the research and training arm of the judiciary.

Using objective criteria and psychological tests, it was possible to identify a substantial number of individuals who present a low risk of violation of probation.

These individuals were assigned to large, average more than 100 cases each. More than 100 cases are now under the supervision of five officers in Central Districts, Eastern Districts, Pennsylvania, and South Carolina. Although it handles many more cases than a normal probation officer, the violation rate is minimal.

The major benefit of this procedure is the reduction of other officers, who can now concentrate with the difficult and more demanding probation cases, to make sure that the most intensive supervision is applied to intermediate risk cases where the likelihood of effective positive change is greater.

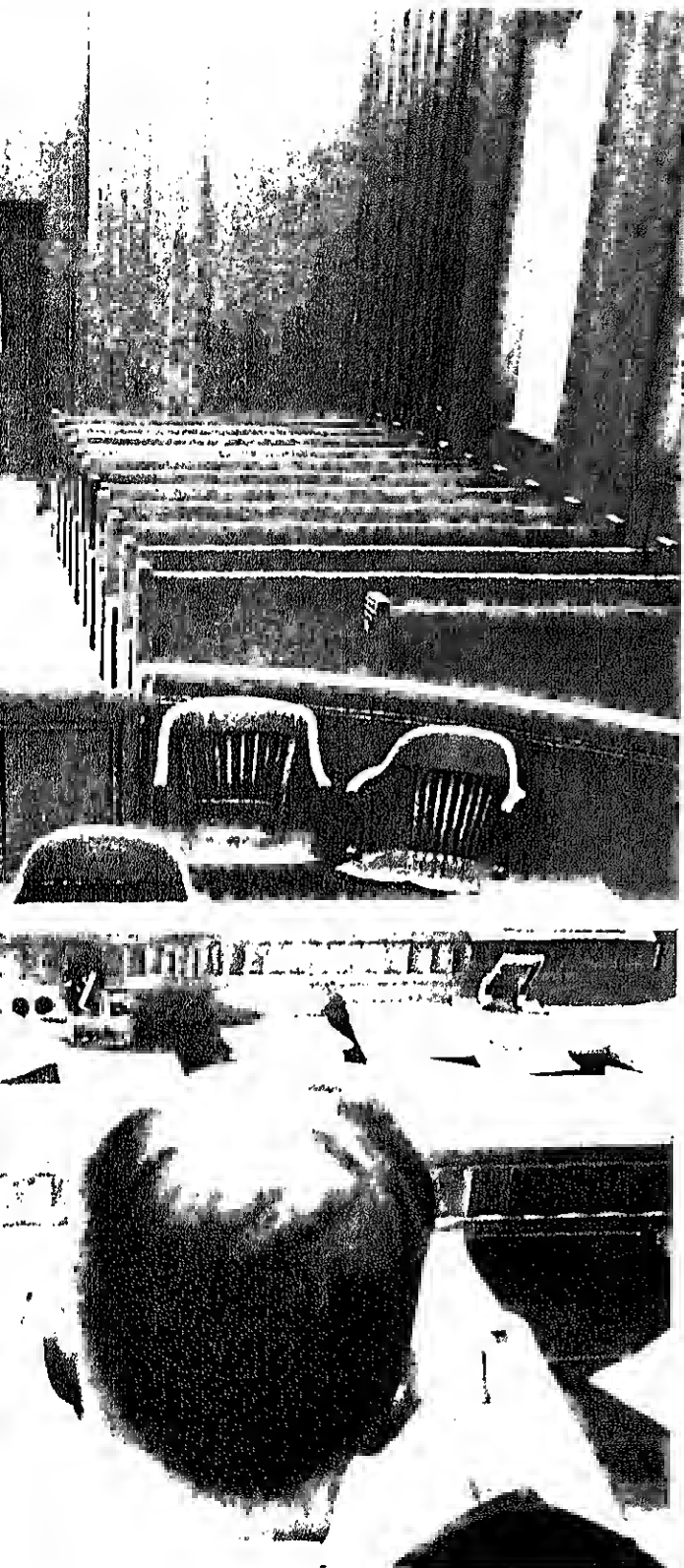
Another experimental study is the Probation Case Audit Project. This is a 3-year experimental study of the use of part-time paraprofessionals in probation and parole supervision. The project, which began in October 1968 and is continued in December 1971, is sponsored by the University of Chicago Center in Criminal Justice, the project is supported by the National Institute of Mental Health and the Federal Center.

The action phase of the project terminated in FY 1971. A total number of 164 persons in the experimental group were supervised by 13 probation officers who in turn were supervised by two probation officers. Final data analysis, in progress at the close of the year, were to be made available in FY 1972.

## Federal Criminal Cases

The Administrative Office maintains statistical records of federal criminal cases through examination of records of Federal courts.

FY 1971 totals are reported here.



**Cases docketed.** A total of 41,290 criminal cases was docketed in FY 1971, an 8.4 percent increase over the previous fiscal year. The percentage rise in different offense categories was uneven. For example, bank robbery, narcotics, and weapons law violations were sharply up whereas auto theft and migratory bird violations showed a marked decrease.

**Bank robbery cases.** Since FY 1961, bank robbery prosecutions have risen by 433 percent, and 29 percent since FY 1970. Since FY 1961, cases involving the use of firearms rose 900 percent; most of this increase occurred in FY 1970 and FY 1971 as a result of the gun control provisions of the Omnibus Crime Control Act of 1970. Violations relating to escape from custody, aiding and abetting escape, failure to appear in court, and bail jumping rose 423 percent since FY 1961, from 238 in FY 1961 to 1,245 in FY 1971.

**Narcotic cases.** In FY 1971, there was a 33 percent rise in narcotic drug law cases over FY 1970. A new law, the Comprehensive Drug Abuse Prevention and Control Act of 1970, accounted for some of the increase. The act was signed into law on May 1, 1971, 2 months before the close of the fiscal year. In those 2 months, 309 cases, including 127 marijuana cases, 141 narcotic cases, and 41 controlled substances (depressants and stimulants) cases, were docketed. Altogether, in FY 1971, 4,679 narcotic and drug abuse violations were recorded.

**Draft cases.** The most substantial increase, both in percentage and numbers, was for violations of the Selective Service Act. There were only 251 prosecutions under that act in FY 1961. In FY 1971 there were 4,539, a 1,708 percent increase.

**Auto theft cases.** Auto theft charges have decreased



women. In FY 1969, funding was \$1,613,000; in FY 1970, \$4,773,000; and \$5,152,000 in FY 1971.

**Direct employment.** Direct employment projects provide work and training programs, focusing especially on the chronically unemployed. Funding levels were \$161,000 in FY 1969; \$1,128,000 in FY 1970; and \$913,000 in FY 1971.

**School-age education.** School-age education programs provide guidance, testing, and counseling; tutorial and remedial education; cultural activities, including participation in and exposure to the creative and performing arts; curriculum and facility development; special education programs; and other education programs or services. Funding in FY 1969 was \$5,747,000; in FY 1970, \$4,856,000; and in FY 1971, \$5,375,000.

**Adult education.** Adult education projects teach English as a second language and offer basic literary training and other educational services to adults. In FY 1969, funding was \$2,797,000; in FY 1970, \$8,826,000; and in FY 1971, \$8,363,000.

**Emergency assistance.** Emergency financial assistance programs provide loans or grants to meet immediate and urgent individual and family needs, including housing, clothing, and employment-related needs. Funding levels were \$28,000 in FY 1969; \$28,000 in FY 1970; and \$86,000 in FY 1971.

**Youth development.** Youth development programs, initiated in May 1970, stress the active participation of poor youth, 14–25 years of age, in the planning, operation, and evaluation of programs designed to serve them. These programs deal with employment, economic development, education, recreation, police-youth relations, cultural enrichment, and various other youth activities. Funding in FY 1969 was \$33,663,000; in FY 1970, \$30,792,000; and in FY 1971, \$32,005,000.

**Recreation.** Recreation programs provide recreation for the poor on a year-round or nearly year-round basis. Program funding in FY 1969 was \$1,010,000; in FY 1970, \$1,286,000; and in FY 1971, \$448,000.

**Economic development.** Economic development programs are designed to stimulate economic development in the community. Among other things, these programs are concerned with businesses and services operated by local individuals and groups, the location of outside industry in the community, tourism projects, and the

directly at the formation of private ownership.

The programs fall into two broad categories: research or demonstration programs, and programs.

## Criminal Penalties

The misappropriation of money, funds, assets, which is the subject of any grant or contract pursuant to the Economic Opportunity Act of 1964 (E.O. 12151, 2700).

Information, allegations, or complaints about Federal grant funds may be received by OECU or developed by OECU investigations of individuals and projects.

OECU refers to the 14 pertinent of Federal grant disposition any such matter. There were 23 cases in FY 1971.

## Research and Demonstration

The research and demonstration programs under NewGate are educational programs for inmates, institutionalized, a motivational training for inmates scheduled for release from a Federal prison, a variety of experimental youth programs, Pilot District Project aimed at improving inmate relations.

## Project NewGate

Since 1967, OECU has funded Project NewGate, a mental educational program for inmates in institutions. It is funded under section 232, Economic Opportunity Act.

NewGate applies a rational and responsible to integration of inmates into society. It has three basic principles: counseling and instruction or educational preparation prior to release; a program of counseling, guidance, and therapy; and continuation of the education and training program.

Individual components of NewGate are innovative. NewGate's uniqueness consists of components into a comprehensive approach. Projects include release time or furlough for study, social and cultural activities not usually available in prison, and job placement.

The fundamental operating principle is community people and resources with the programs and thereby develop community-based into which the student-inmates can move upon release. Support from the prison is continued release community phase.

NewGate has operated pilot programs in



and two Federal institutions. Most of its emphasis has been on post-secondary education, but in practice it also provides Adult Basic Education (ABE), General Equivalency Diploma (GED), and vocational skills training. Approximately 25 percent of the effort has had a non-degree emphasis. During the in-prison phase, participants are immersed in an 8-hour-a-day program, uninterrupted by normal institutional work. These projects are administered apart from the corrections establishment, except for one project that is changing over to institutional management.

OEO funded the original NewGate program in Oregon in 1967. Since that time, five additional programs have been financed. These programs operate in various types of institutions and with varying prison inmate populations.

OEO has spent \$3,045,213 on all NewGate projects since FY 1969. The total for each year is: FY 1969, \$706,370; FY 1970, \$1,171,486; and FY 1971, \$1,167,357.

## Project Operations

Brief descriptions of NewGate projects follow.

**Colorado.** Colorado NewGate works with inmates at the Federal Youth Center for youthful offenders from all States west of the Mississippi River. This is the newest

Inmates at the St. Cloud (Minnesota) Reformatory for Men receive college training through Project NewGate, sponsored by the Office of Economic Opportunity.

NewGate program, operating for the first time July 1, 1971. The grantee is the University of Colorado, Denver, Colo., and the prison involved is the Federal Youth Center, Englewood, Colo.

**Kentucky.** Kentucky NewGate works with the young (16-24-year-old) inmates of a Federal Youth Center. The average age of the students is less than 20 years and the average length of commitment is 13 months. Because this Youth Center is the Federal institution for youthful offenders from all States east of the Mississippi River, aftercare is more complex for this NewGate than for the State programs. The grantee is the University of Kentucky Research Foundation, Lexington, Ky., and the prison involved is the Ashland Federal Youth Center, Ashland, Ky.

**Minnesota.** Minnesota NewGate operates in a State reformatory with young prisoners, 18 to 23 years old. Included are American Indian men at the City Workhouse. The University of Minnesota has asked NewGate to take charge of the university's program of on-campus study for inmates in all State penal institutions, including those

## Experimental Youth Programs

OEO funds eight experimental programs for disadvantaged inner city youth, usually assisted by adults, designed to lead them away from delinquent behavior and toward constructive lives.

The programs are funded under demonstration grant authority of section 232 of the Economic Opportunity Act.

The purpose of these experiments is to determine whether participation of youths themselves in planning and conducting projects would have the desired impact.

Now in the final funding phase, these youth projects were funded as an experimental series to test a variety of organizational models and program components. They provided much of the impetus and direction for the Youth Development Programs now funded under section 221 of the EOA.

Descriptions of examples of these projects follow.

**California.** The Neighborhood House of North Richmond, Calif., was funded to operate a program designed to bridge the communications gap. The 100 participating young people print their own community newspaper, present plays, and produce video tapes on various community problems and programs for groups such as the City Council, Contra Costa College, the Wright Institute of the University of California, and the Richmond Model Cities program. Funding was \$100,000 in FY 1969; none in FY 1970; and \$106,271 in FY 1971.

**District of Columbia.** United Planning Organization in Washington, D.C., received a grant in FY 1971 to help support the Teen Corps, an employment service for inner city youth. In addition to matching applicants with jobs, the traditional employment agency function, Teen Corps also has a program which helps inner city youth find better jobs by giving them the necessary skills. Hash language and secretarial ability, for example. Funding was \$49,987 in FY 1971.

**Florida.** The Community Action Agency of Hillsborough County, Fla., receives funds that it delegates to the Commission on Human Relations. The Commission has used these to create a Youth Council composed of representatives of 11 youth groups with total membership of about 900. Members of the Council serve the Human Relations Commission in an advisory role, giving information on the needs of their constituents and helping develop programs to meet those needs. These programs focus primarily on economic development and include job training and placement for both in-school and out-of-school youth and the planning and operation of a franchised fast-food unit. Funding totaled \$183,201 in FY 1969, none in FY 1970, and \$176,964 in FY 1971.

**New York.** The National Urban League Street Academies in New York City hope to serve 2,000-4,000 inner city youths by encouraging them to enroll in college preparatory educational programs run in their communities by the Urban League. The Street Academies project will

also evaluate existing educational opportunities for inner city and develop alternatives better suited to the needs of the student. Funding was \$1,000,000 in FY 1971.

**Pennsylvania.** The School District of Philadelphia has been funded to administer the Harburtville Corporation Youth Project. The project includes development of youth projects, youth centers, services for young people. Youth center incubators are a community service project and work to improve conditions. In order to earn income and experience, youth center members also run the most enterprises. Funding totaled \$1,000,000 in FY 1969 and \$1,000,000 in FY 1971.

The School District of Philadelphia, Pa., received grant from OEO for the operation of Philadelphia Economic Rehabilitation Program, designed to create 10,000 jobs and provide a positive force in the community. Funds operate projects such as job training, tutoring and job training. Funding was \$1,000,000 in FY 1971.

**Texas.** Las Colinas Valley, San Juan, Tex., operates a youth development program under an OEO grant. Home and business for young people employed by the program is information on the development of the community development of a Mexican American Studies Center at the University of Texas at Dallas. The center is a program to meet the needs of the Mexican American residents of the "El Estero" in Cameron County. The center is helping to meet needs. They have helped to water to the area, a clinic, helped to get streets paved, run a store, and are currently involved in the need in public housing projects. Funding for FY 1971 was \$1,000,000 and for FY 1972 \$1,000,000.

## Pilot District Project

The Pilot District Project (PDP) is an experimental program aimed at discovering ways to improve community relations in the areas and make them effective and relevant to the needs and people of an inner city community.

OEO began funding the PDP in June 1971 demonstration grant authority of section 232 of the Economic Opportunity Act. The project is sponsored by the Department of Human Resources of the Columbia Government.

The project's primary goal is to reduce tensions between the police of the Third District of the Metropolitan Police Department and its 106,000 residents. Among other goals are improvement of police protection, crime prevention and detection, noncriminal dispute settlements, and delivery of emergency social services.

PDP is a multi-pronged attack on the problems that prevent police from delivering, and citizens from receiving, adequate police services.

## Police In-Service Training

The largest, and perhaps the most controversial program, was the Police In-Service Training Component, an on-duty program of continuing seminars that each officer in the Third District was required to attend. This police training aimed to demonstrate that police performance can be improved by a continual in-service training project.

The training project was to provide opportunities for the police: (1) to examine and evaluate their own experiences in order to develop more factual perceptions of their role; (2) to increase their knowledge of the law and judicial system; (3) to increase their awareness of current social problems that create friction between police and citizens; and (4) to meet with members of the community to discuss ways of improving mutual understanding of each other's problems.

To attain these goals, the training component was organized to investigate three categories: human relations, law, and police operation and management.

**Human relations.** Human relations training was designed with concern for three elements: dealing with people more effectively, especially in peace-keeping situations; developing an increased awareness of the policeman's need for community support; and sharpening of skills used in obtaining that support.

**Law.** Law was to be studied toward developing more effective prosecutions in law enforcement. Special emphasis was to be given to managerial efficiency so as to eliminate time-consuming, money-wasting attempts to prosecute questionable cases.

**Police operations.** Police operations and management studies were to be directed towards the sharpening of old skills and development of new ones in the technical and administrative aspects of a policeman's job. Techniques of pursuit, capture, surveillance, use of data processing equipment, and other technical methods were to be explored. An intensive Spanish-language program was included for some of the participating policemen.

**Techniques.** From the beginning of the project on August 9, 1968, to April 30, 1971, a wide variety of in-service training sessions was conducted. Although many different training techniques were to be used, a small group of sensitivity-type seminars was emphasized. Discussion leaders were hired to head groups of 12 to 15 policemen. Actual working experiences were presented. To develop new concepts and sharpen old skills, each participant described how he would have handled that situation or how he had handled a similar situation.

In addition to small group seminars, films, audio-visual materials, and closed circuit television were used, either to supplement or to replace the verbal presentation of a situation. Informal debating, role-playing, and interviews with judges, attorneys for the defense, and probation officers were used in relevant phases of the police in-service training to promote discussion and understanding of other legal disciplines.

**Evaluation.** An OEO evaluation contractor indicated in a preliminary assessment that the in-service training program had not been a success. This was based on data available as of May 30, 1971.

Attendance by the police was at times poor. Disagreements were common among the project staff, the police, and members of the community concerning the proper substantive content of the training.

Deeply held feelings of mistrust between the police and the community, the very tensions which the program was seeking to alleviate, were cited by the report as a major reason for the difficulties.

## Citizens Board

Foremost among the operational aspects of the PDP has been the creation of an elected Citizens Board. Its functions include acting as a liaison between police and community, directing portions of the PDP-instituted police training, and serving in an advisory capacity on policy decisions.

A roster of proposed programs to accomplish project goals was submitted by the Citizens Board on March 25, 1970. Programs other than those proposed by the Board have also been implemented or planned by the PDP. These experimental programs are designed to train and educate policemen, inform citizens, improve noncriminal police services, afford increased employment for community residents, and give the citizens a greater voice in police policies.

These additional experimental programs were sponsored by the PDP in three general areas: community liaison, community services, and police operations and procedures.

service tasks, and also increases routine, nonadversary contact between police and community residents.

It also benefits the Third District residents because the civilian employees have more time than the regular police to assist them personally.

The interim assessment of the PDP concludes that the civilian employment component of the project is faring reasonably well in spite of general administrative and recruitment difficulties plaguing PDP as a whole.

**Junior Cadets.** The Junior Cadet and Courtesy Patrol, a PDP community services program designed to interest youth in the importance of policing the community, was started in July 1970. Youths between the ages of 16 and 21 have been hired and trained to perform various public safety functions not related to crime.

Their duties include escorting senior citizens and preschool children, chaperoning community affairs, helping direct traffic, checking the external security of commercial and vacant buildings, making sure children are not trapped inside vacant buildings, and reporting abandoned cars, burned-out lights, and uncollected garbage.

They receive job-related training in first aid, self-defense, communications, community relations, knowledge of emergency services and community resources, and instruction on streets, alleys, and buildings of the area. General training includes the structure and functioning of the Metropolitan Police Department, crime and social problems, basic legal issues, preparation for the police entrance examination, and police recruit training.

**Drug abuse.** Some PDP money was used in FY 1971 in a program to combat drug abuse in the Third District community. The program was not run by the PDP staff, but was delegated to Regional Addiction Prevention (RAP). RAP offers a chemical-free approach to the rehabilitation of addicts, with a storefront "RAP Shop" where addicts or ex-addicts can walk in and participate in group therapy sessions with the staff and volunteer community residents.

**Youth center.** The Hillcrest youth center project was a PDP community service project conceived by a policeman to provide an opportunity for police officers to become actively involved in cultural enrichment of the area youth. All workers are volunteers. Although it was originally expected that music, arts, and sports were to be offered, the main emphasis has been on sports.

**Switchboard.** Some PDP money was provided for a 24-hour Switchboard Outreach Program. Operation of the program was delegated to Switchboard, which has

been operating in the District of Columbia for the past 5 years. It offers telephone help in the form of information, advice, counseling, and a sympathetic ear.

SAJA. PDP money was also provided to support a community services program entitled Special Approaches to Juvenile Assistance (SAJA). The purpose of SAJA is to establish a channel of communications between the "hippie" or "free" community and concerned citizens.

SAJA works in conjunction with other Third District organizations such as Switchboard and RAP. They refer young people to these facilities as well as to the District of Columbia Clinic and the Free Clinic for medical care. Several local ministers provide spiritual counseling for youth in this program.

**Citizen riders.** A citizen riders program was operated during FY 1971. The purpose was reciprocal education: community residents would gain a better understanding of police work, obtain an overview of police operations, and learn how the problems of the police relate to the community; policemen would learn more about Third District residents and their attitudes.

By riding along in a patrol car, the rider had an opportunity to observe first-hand and to discuss the policeman's behavior and decisions with him. All riders were requested to write detailed reports on the events occurring during their rides, both positive and negative. On the basis of these reports, some Third District officers received "Policeman of the Month" awards from the Citizens Board.

Despite the reciprocal education purpose of the citizen riders program, this program has received the most protest from the police. They often viewed the riders as spies from the Board, especially since the officers were initially not allowed access to the reports. Police complained that most of the riders either could not or did not write objective evaluations.

**Photography.** Another PDP community services program is photography training for youth, in which one of the Third District police officers volunteers his services to teach Third District youth how to take and develop pictures both as a hobby and a career. Although this program can be offered on only a small scale, it has been enthusiastically received.

## Police Operations and Procedures

The third category of PDP activity comprises police operations and procedure programs. These programs, dealing

ployment of patrol personnel to best accomplish police protection, priorities of enforcement, handling of complaints, methods of police recruitment and promotion, police relations with diverse elements of the community, and the operation of specialized units of the Metropolitan Police Department within the Third District.

**Entrance exams.** One such program was training for prospective police applicants, designed to give those black citizens eligible to take the police entrance examination an opportunity to pass it.

A short-term program of 2 to 3 weeks was offered for applicants with few or no educational deficiencies, including those who had failed the exam previously.

A long-term program with a \$2 per hour stipend was also offered applicants with educational deficiencies. All applicants could remain in this program up to 6 months or until they either passed the entrance examination or accepted some other full-time employment.

Despite vigorous public relations efforts, enrollment in the training program was low, and the program was abandoned.

**Promotional exams.** An intensive study program for the police promotional examination was implemented in FY 1971 as an additional incentive to recruit and retain black officers. Although the program was not solely for blacks, its emphasis was upon black participation in an attempt to achieve a more racially balanced hierarchy in the Metropolitan Police Department. As an incentive, a \$3.85 per hour study stipend was paid to officers who were eligible for the exam and were selected by the Citizens Board for the training program. Board selections were based on the officers' work in the community as an indication of potential for improving police-community relations. This program, too, was abandoned because of low response.

## Conclusion

It is clear that the Pilot District Project (PDP) faces many problems. The interim assessment by the contract evaluator indicated that the PDP has not successfully implemented some of its most critical programs and procedures. The assessment indicated that because subgoals have not been attained, major goals could not be fulfilled.

The report said that the more critical problems plaguing the Pilot District Project and its programs are administrative. Observers note that administrative in-fighting has often left the direction of the project and its programs in a state of near chaos. Also, some programs were delayed because of community criticism. Although some of these problems were anticipated, the degree to which they have impeded the project had not been foreseen.

OEO provided PDP with financial assistance totaling \$1,097,418 in FY 1969 and \$300,000 in FY 1970. OEO continued in FY 1971 to value the project's basic worth and therefore funded the project with \$179,272 for May and June 1971 and with \$545,100 for the 10-month period ending April 30, 1972.

Closely allied to the Pilot District Project are a \$170,631 FY 1969 contract and a \$30,000 FY 1970 supplementary contract for the production of films related to

the PDP. The contractor produced police training films based on the project and a documentary of the project for public viewing. Work on these was completed by October 1, 1971.

## Operational Programs

The operational programs include programs in drug rehabilitation of narcotic addicts and chronic drug abusers, support of inmate rehabilitation, assistance to persons unable to raise bail, youth services, and provision of legal services to the poor. The Volunteers in Service to America (VISTA), an FY 1971 function of OEO, also is reported on to the extent that it had programs to reduce or prevent crime.

## Drug Rehabilitation

OEO funds a comprehensive rehabilitation program for narcotic addicts and drug abusers among the poor.

Drug treatment projects, operated in States in all areas of the country, range from community-based treatment and alternatives to incarceration for offenders to services for incarcerated drug offenders.

The OEO drug rehabilitation program had been operated since June 1967. The current authority for this program is section 222 of the Economic Opportunity Act, which authorizes the Director of OEO to develop and carry on: "A 'Drug Rehabilitation' program designed to discover the causes of drug abuse and addiction, to treat narcotic and drug addiction and the dependence associated with drug abuse, and to rehabilitate the drug abuser and the drug addict."

Although these drug rehabilitation projects are expected to help reduce crime, the impact cannot be fully measured because of their brief length of operation. But, an indication of the effectiveness of the program is underlined by the district attorney of Laredo, Tex., who reported that drug-related crimes in the city decreased about 65 percent since the inception of the OEO-sponsored rehabilitation project there.

## Funding

The FY 1970 and FY 1971 authorizations for OEO have specified that minimum amounts be made available for the narcotic and drug rehabilitation program. Those amounts were set at \$4.5 million for FY 1970 and \$12.8 million for FY 1971.

During FY 1969, OEO allocated approximately \$2.2 million to refund existing projects; \$4.5 million was al-



to 20 comprehensive drug rehabilitation projects, served approximately 15,000 low-income addicts and reached approximately 25,000 youths and 40,000 adults through educational, prevention, and early intervention programs.

OEO also supports the National Institute for Drug Programs, which trains ex-addicts to work in drug rehabilitation projects. OEO provided \$400,000 for this program in FY 1971.

## Projects

The projects supported under this program are community-based. They maintain the family structure and help in the recovery and rehabilitation of drug abusers and addicts. They encourage and, to some extent, require the use of community facilities, services, and resources, such as public welfare, vocational training, job placement, law enforcement, and medical and mental health.

The programs support a wide range of treatment and supportive services, including therapeutic communities, halfway houses, guidance and counseling, and methadone maintenance. The major thrust of the OEO rehabilitation program is toward human renewal. Crime reduction is one of the most desirable by-products of the program.

Of particular significance is a grant made to South Carolina for development by its Department of Corrections of a statewide comprehensive program of rehabilitation services for incarcerated young and adult drug offenders. Included are residency in prerelease centers, academic and vocation training, and group and individual counseling and therapy.

A grant to the California Department of Corrections supported a residential program that includes intensive job testing, counseling, health and mental health care, and job placement. It provides an alternative to the incarceration of youthful drug offenders.

## Regional Offices

In addition to the comprehensive drug rehabilitation projects funded under the authority of section 222 of the act, three drug rehabilitation projects funded by OEO Regional Offices under section 221 of the EOA were operating in FY 1971.

In Bridgeport, Conn., OEO assistance totaling \$35,000 was provided to a residential rehabilitation center to support a year-long rehabilitation experience for 40 patients. The same funding level was provided in FY 1970.

In Albuquerque, N. Mex., \$30,000 was provided by OEO in FY 1971 to a drug rehabilitation program that operates store-front counseling centers and a methadone treatment colony. During FY 1971, the program helped approximately 500 persons.

The Laredo, Tex., Drug Abuse and Rehabilitation Center focuses on rehabilitation of heroin addicts. Using methadone and supporting social services, the project gives addicts and their families the opportunity for education, training, employment, and social and emotional development that has been lacking in their previous envi-

ronments. OEO provided \$70,639 in FY 1970 and \$63,312 in FY 1971. The project assisted an estimated 120 families.

## Plans

OEO expects to continue to play a significant role in national drug programs in two main areas: (1) the development and support of community-based programs focused on low-income populations; and (2) the development and support of innovative rehabilitation, prevention, and early intervention projects.

Special emphasis will be on programs related to correctional and law enforcement agencies that will establish effective liaison with community-based programs. In addition, drug rehabilitation programs are planned as integral parts of OEO-assisted Comprehensive Health Services Programs (Neighborhood Health Centers).

## Rehabilitation Support

OEO funded several projects in FY 1971 that dealt with various aspects of rehabilitation of persons in the criminal justice system.

Descriptions of those projects follow:

**Long Beach, Calif.** The Congreso de La Raza of Long Beach operates Academic Halfway House, a special counseling and support program for college student ex-convicts wanting to return to school. OEO assistance totaling \$25,092 was provided in FY 1971.

**Hoffman House**, operated by the Long Beach Council of Churches, is a residential program for female ex-convicts. Support and counseling are provided to eight newly released women while they find jobs and living arrangements. The average stay is 4 weeks, and followup counseling also is conducted. Approximately 64 women are served per year. OEO provided \$31,044 in FY 1971.

**Monterey, Calif.** A delegate agency of the Monterey Anti-Poverty Program received \$8,000 from OEO in FY 1971 to operate a program which reached 1,500 persons with the following activities:

- (1) It sought to resolve petty larceny matters by providing counseling to the offenders and by mediation between plaintiffs and offenders' parents;
- (2) It arranged lawyers for those arrested for crimes;
- (3) It contacted the California Department of Corrections on behalf of convicted persons, arranged family visits, and provided visits and counseling by agency staff;

rectional Institute at Walpole. Ten to 15 inmates are transported daily from the prison to Medfield State Hospital where they are trained as psychiatric aides and as staff in other human services fields. The program also has a job development and placement aspect.

**New Jersey.** Since 1966, the Morrow Association on Correction in New Brunswick, a private nonprofit citizens association involved in corrections and rehabilitation, has served more than 4,000 inmates in correctional institutions in New Jersey who were convicted of misdemeanors. Approximately 1,500 inmates participated in FY 1971. Social rehabilitation, job opportunity and training, and a halfway house program are the three main elements of the comprehensive services provided by the program.

In FY 1971, the Morrow Association engaged in the following activities aimed at reducing the rate of recidivism and protecting society from crime and delinquency:

- ☐ Assisting incarcerated persons to prepare a plan for economic and social adjustment after release and aiding them and their families in carrying out the plan;
- ☐ Promoting a visiting and counseling service for the offender during imprisonment, especially in local jails;
- ☐ Providing essential limited financial aid where necessary during imprisonment and upon release;
- ☐ Providing a visiting and counseling service for the offender's family during imprisonment;
- ☐ Assisting persons in local jails, on suspicion, as witnesses, or pending indictment or trial, to communicate with family and friends;
- ☐ Assisting in rehabilitating the offender;
- ☐ Promoting useful and gainful employment for offenders while incarcerated and upon release;
- ☐ Promoting the securing and retention of qualified custodial officers and their proper compensation and training;
- ☐ Promoting safe, adequate, and proper facilities for detention of offenders;
- ☐ Cooperating with the State Department of Institutions and Agencies, probation officers of the counties, and other law enforcement officers to extend and increase the effectiveness of rehabilitation programs;
- ☐ Enlisting the cooperation of the public in reintegrating offenders into the community; and
- ☐ Engaging in research and information activities.

The OEO funding for the Morrow program was \$108,000 in FY 1969; \$119,790 in FY 1970; and \$119,516 in FY 1971.

**Ohio.** Talbert House is a residential program in Cincinnati for concentrated and comprehensive rehabilitation of parolees of Ohio penal institutions. Many "graduates" from the halfway house seek to work for the program, both on a paid and unpaid basis, and visit the parolees often. The recidivism rate of Talbert participants is only 20 percent. Fifty-one parolees were involved in FY 1971. OEO funding was \$38,240 in FY 1969; \$35,429 in FY 1970; and \$37,000 in FY 1971.

(4) It arranged group meetings for young people on probation; and

(5) It provided rehabilitation of inmates through counseling, training, and job placement. The Monterey agency works to obtain the early release of prisoners by arranging training, education, or job placement. Inmates at Soledad Prison now have a tutorial program where inmates tutor other inmates in college courses. The agency has been successful in obtaining work or schooling furloughs for convicts. Subcontracts have been obtained from private businesses for employment of ex-convicts.

**Sacramento, Calif.** A delegate agency of the Sacramento Area Economic Opportunity Council, Inc., using OEO funds, operates a program with two broad objectives:

(1) To assist the ex-convict in readjustment to life outside the prison through prerelease classes and counseling in the prison and post-release counseling, job placement, and supportive services; and

(2) To deter youth from a life of crime through educational seminars and classes.

Ex-convicts are used as staff and volunteers in both phases of the program. The broader community is involved through a board which provides educational and public relations services, emergency supportive services, and job openings.

The project has not obtained the necessary local official approval to operate in Folsom Prison, which is in the area. A resulting problem is that a number of Folsom parolees have not had the benefit of the prerelease phase of the program.

Additionally, unemployment in the area has made it increasingly difficult to find jobs for the ex-convicts. In many cases this delays the actual release of a prisoner since he must have a job commitment before he can receive a parole date.

OEO assistance to the Sacramento program was \$42,688 in FY 1969; \$28,200 in FY 1970; and \$40,000 in FY 1971. It is projected that 1,700 individuals will be assisted during FY 1971.

**Chicago, Ill.** The Chicago Department of Human Resources operates a corrections program which attempts to prevent and control delinquency among youth (12 to 21) by rehabilitation help such as employment assistance, psychological counseling, and residential services for those who cannot live at home. This program served 46,500 individuals in FY 1971. OEO funding was \$663,528 in

duction of extensions to society in the San Francisco Bay Wash., area. The project currently is giving both pre-release and postrelease counseling and conducts a speakers bureau of ex-felons for minority youth groups.

## Bail and Probation Projects

OEO funded a number of projects in FY 1971 that dealt with bail or probation in criminal proceedings. The bail projects provide such services as arrangement for release on own recognizance.

Descriptions of two projects follow:

**San Francisco Bail Project.** The San Francisco Bail Project arranges release of indigent prisoners on their own recognizance when they are detained in custody awaiting trial; and it also refers defendants to legal counsel and to medical, psychiatric, or other professional services. The purpose is to generate substantial changes in the bail system, especially to relieve the indigent defendant from financial hardships related to bail bonding agencies.

The project has become a model program for professionals working in related fields. More than 20,000 participants have been recorded by the San Francisco Bail Project since it began in 1964. In that time, the release of 16,300 arrested persons has been obtained, with 2,620 in FY 1971. The release of these indigents relieved them from long periods of pretrial detention, and saved the city custodial costs and possible welfare costs where jobs could have been lost.

Release of defendants on their own recognizance has become established as a part of the pretrial criminal justice system of the city as judges rely more and more upon the project's evaluations of defendants still in custody. Of those participants released on their own recognizance, 97 percent have honored their court appearances.

The project has utilized volunteers, saving thousands of dollars in salaries. Support for the project has come from many professionals of the legal and judicial sector as well as the community at large.

A problem cited by the project is the need to refine the system which ill and hospitalized defendants use to inform the court that appearance is impossible.

OEO funding for the San Francisco project totaled \$61,833 in FY 1969, \$60,000 in FY 1970, and \$25,000 in FY 1971. The program has now moved under the City of San Francisco funding, releasing OEO from future funding in line with the philosophy that worthwhile programs will be spun off to sources of revenue other than OEO.

**Paterson Probation Project.** The Paterson, N.J., Probation Project is an employment and counseling program that attempts to bring services, counseling, jobs, and community involvement to the life of late teenage and adult probationers. Successful work adjustment for this age group is crucial in post-conviction success. The program has three major elements:

- (1) Provision of jobs;
- (2) Mobilization of educational, vocational, housing, medical, rehabilitative, psychiatric, and counseling services; and

ter. The representatives' responsibilities are: (a) referring and helping juveniles obtain the services above; and (b) establishing a close relationship with each probationer and conducting individual and group counseling that will stress identification and resolution of personal problems.

The New Jersey Department of Community Affairs believes that the Paterson project will be a model for the rest of the State. Three strategies for improving probation are being implemented:

- (1) County probation projects are being organized to concentrate on primary duties of counseling and program management;

- (2) Specialized and diversified probation programming—including casework, groupwork, and special activity groups (tutorial, vocational, recreational) utilizing trained probation officers, volunteers, part-time workers, paraprofessionals, and specialists—are being provided; and

- (3) Residential and non-residential community-based facilities are being established.

Participants in the Paterson Probation Project numbered 400 in FY 1971. OEO funding was \$127,000 for FY 1969 and \$126,899 for FY 1970. The program utilized unexpended funds in FY 1971, and no new funds were involved.

## Youth Services

A number of projects funded by OEO during FY 1971 provided recreation, education, counseling, and other supportive services to youths in neighborhoods with high crime rates.

Descriptions of the projects follow:

**Alabama.** The Jefferson County Committee for Economic Opportunity, a community action agency serving the Birmingham area, is operating a comprehensive community-based delinquency casework project. This program of counseling and outreach services for delinquents and their families, affiliated with the Family Court of Jefferson County, attempts to cope with the many problems families of delinquents have in obtaining essential services needed to alleviate their difficulties. To make Family Court services more readily available to lower income families, Family Court staff is being assigned to the neighborhoods where the problems exist. This enables

financial jobs, recreation, and social activities for 200 youth gang members in Gary. OEO funding for this project in FY 1969, FY 1970, and FY 1971 was approximately \$50,000 per year.

**Ohio.** Two Toledo projects concentrated on cultural pride programs in high crime neighborhoods in FY 1971. Each project received approximately \$10,000 per fiscal year in 1969, 1970, and 1971 and served about 1,000 individuals. Both projects plan comprehensive youth programs of counseling, training, and education.

**Texas.** The Harris County Community Action Association, in Houston, operates a program of supportive and directive counseling to troubled youth and their families. The program works closely with junior high and high school dropouts and provides educational stipends so their education can be resumed. The youth are referred to the program by the school system, the juvenile court, juvenile probation officers, and other community agencies. Future plans include a foster home placement service and a halfway house system.

Approximately 345 youths are served at one time by the Harris County program, 260 independently and 85 more in group sessions. OEO provided \$91,942 in FY 1969, \$110,600 in FY 1970, and \$104,130 in FY 1971.

## Police-Community Relations

Four operational projects receiving OEO assistance in FY 1971 conducted police-community relations programs.

**Kentucky.** The Louisville and Jefferson County Community Action Commission, in Louisville, operates a program in which young adults ride on patrols with police officers and learn police procedures in Police Department conferences and briefings. OEO provided \$8,000 to this program in FY 1971.

**North Carolina.** The Gladiator Boxing Club, co-sponsored by the Winston-Salem Police Department, provides boxing instruction and training for indigent youth and adults. In addition, the program has a rehabilitation component that works with teenage violators and adult ex-convicts. OEO provided \$21,000 in FY 1971.

**Cincinnati, Ohio.** OEO provided \$8,000 in FY 1971 for a Cincinnati program which seeks to improve relations between local citizens and the Police Department by conducting seminars in various neighborhoods.

**Portsmouth, Ohio.** A Portsmouth police cadet program received \$1,248 in FY 1971. The program uses volunteer staff to train 12 delinquent youths for 11 weeks to acquaint them with police activities.

## Legal Services

The OEO legal services program touches directly and indirectly on a number of areas of crime prevention and reduction.

The program is essentially civil in nature, however, and it is restricted by Congress from direct activity in criminal justice proceedings.

The major activity of the program is to provide legal services for the redress of individual and community-wide grievances of the poor.

## Background

Legal services activities are authorized under section 222 of the Economic Opportunity Act, which charges the Director of OEO with developing and carrying on: "A 'Legal Services' program to further the cause of justice among persons living in poverty by mobilizing the assistance of lawyers and legal institutions and by providing legal advice, legal representation, legal counseling, education in legal matters, and other appropriate legal services." This mandate is implemented by the Office of Legal Services of OEO.

## Funding

The authorizations for OEO earmarked certain amounts for legal services for FY 1970 and FY 1971. As a result of the proration requirements of the act and the flexibility permitted the Director by the act, the appropriated amounts allocated to legal services for section 222 activities were \$54.7 million for FY 1970 and \$61.2 million for FY 1971.

In FY 1971, the Office of Legal Services funded 265 projects with 934 offices and more than 2,000 lawyers in all 50 States, the District of Columbia, and Puerto Rico.

Total funding for the program was \$47.3 million in FY 1969; \$54.7 million in FY 1970; and \$61.2 million in FY 1971.

## Scope of Activities

The act prohibits the use of legal services grant funds for the defense of anyone indicted, or proceeded against by information, for the commission of a crime. There is one exception. If the Director of OEO determines, after consultation with the court having jurisdiction, that extraordinary circumstances require such legal assistance, it may be provided.

This assistance was provided only rarely in FY 1971. It was provided, for example, for representation for several defendants in prosecutions for alleged welfare fraud in Vermont. The court there found that adequate legal assistance was not otherwise available and that the expertise of legal services lawyers in welfare law warranted their appearance on behalf of the defendants.



# Special Action Office for Drug Abuse Prevention

A new program to coordinate and strengthen Federal programs related to curbing drug abuse was initiated late in FY 1971 with the establishment of the Special Action Office for Drug Abuse Prevention. That Office assumed overall responsibility for the many and varied Federal programs in drug abuse prevention, education, treatment, rehabilitation, training, and research.

Early activities of the Special Action Office included the examination of existing Federal programs, a review of budgets and evaluation of policies of agencies operating drug abuse prevention programs, and the establishment of goals for those agencies.

Addressing itself to the problem of training personnel in drug abuse control, the Office laid plans for a National Training Center for Drug Abuse Control and initiated a program to award grants for training medical school faculty members.

Various methadone treatment programs were examined, and new Federal guidelines were developed concerning methadone maintenance. A unique patient identification system and new regulations affecting distribution were established in an intensive Federal effort to prevent methadone from reaching illicit channels.

The problem of increased street crime by drug users was also addressed by the Special Action Office, in cooperation with the Law Enforcement Assistance Administration. An experimental project is being conducted in several cities to test an approach emphasizing treatment of addicts, rather than imprisonment, in an effort to rehabilitate them and prevent them from committing more street crime.

## Message to Congress

On June 17, 1971, President Nixon sent a Special Message to the Congress outlining the drug abuse problem and proposing passage of certain legislation and funding of certain programs which would greatly enhance Federal efforts. On the same day, the President issued Executive Order 11599 establishing the Special Action Office in the Executive Office of the President.

**Dimensions of the problem.** In his Special Message to the Congress, the President cited statistics reflecting the alarming increase in drug abuse in the United States. Less than 200 narcotics deaths were recorded in New York City in 1960. By 1970, the figure had risen to more

Nationally, the statistics showed an estimated 60,000 heroin addicts in the United States in 1960, with the figure rising to approximately 300,000 by 1970. It should be noted that these are purely estimates. No hard statistics are now available. However, a group of Federal statistical experts is currently in the process of trying to produce reliable, current figures.

The President stated that the costs of addiction in the United States were more than \$2 billion annually in monetary terms, and immeasurable, in human terms.

As part of its ongoing efforts to reduce the incidence of drug abuse reflected in those statistics, the administration submitted legislation in July 1969, calling for reform of Federal drug enforcement laws. On October 27, 1970, the Congress passed the Comprehensive Drug Abuse Prevention and Control Act of 1970. This law consolidated and revised the various Federal narcotic, marijuana, and dangerous drug legislation.

While this law was producing desired results, it was the conclusion of the President that the deliberate procedures embodied in Federal efforts to control drug abuse were insufficient in themselves to cope with a problem which had assumed, in his words, "the dimensions of a national emergency."

**Additional funding.** The President therefore requested the Congress to amend the FY 1972 budget to provide an additional \$155 million in this area. The bulk of that total was requested for the area of addict treatment and rehabilitation, with lesser sums to be applied to education and training in dangerous drugs and to controlling drug trafficking.

It was the President's view that, in coping with the problem of drug abuse, law enforcement had to be coupled with a rational approach to the reclamation of the drug user himself. He stated, "We must rehabilitate the drug user if we are to eliminate drug abuse and all the antisocial activities that flow from drug abuse."

In his Special Message to the Congress, the President also stated, "Despite the magnitude of the problem, despite our very limited success in meeting it, and despite the common recognition of both circumstances, we nevertheless have thus far failed to develop a concerted effort to find a better solution to this increasingly grave threat."

He added that many Federal agencies were involved in one way or another with the problem of drug abuse and addiction, through efforts "ranging from vocational rehabilitation to highway safety," but that there was no



**Cooperation with Department of Defense.** One of the priority projects undertaken by the Special Action Office was to develop, in cooperation with the Department of Defense, a viable program to treat the problem of heroin addiction among American servicemen in Vietnam.

In his Special Message of June 17, 1971, the President discussed this problem in some detail and announced that, in order to expedite the rehabilitation process of Vietnam veterans, he had ordered the immediate establishment of testing procedures and initial rehabilitation efforts.

The President indicated that the Department of Defense would provide rehabilitation programs for all servicemen being returned to the United States for discharge who desire such assistance, and stated that the administration would request legislation permitting the military services to retain for treatment any individual due for discharge who was a narcotic addict. He further directed that rehabilitation procedures, required subsequent to discharge, would be effected under the aegis of the Director of the Special Action Office. The Director would have the authority to refer returning servicemen to private hospitals as well as Veterans Administration hospitals.

**Screening program.** On June 18, 1971, the day after the President announced his drug program, the screening of servicemen scheduled to return from Vietnam was instituted. On July 31, 1971, this program was expanded to include testing for other drugs such as barbiturates and amphetamines, and a similar testing program was instituted in Thailand.

As a result of the action taken by the Special Action Office and the Department of Defense, the drug abuse problem among servicemen in Vietnam began to be reduced to manageable proportions. The screening, treatment, and rehabilitation program, first put into effect in Vietnam, was expanded to include all military personnel in the United States who were being discharged or sent abroad or are returning to this country from abroad.

**Training innovations.** This increased emphasis on combating the problem of drug abuse in the military led to important training innovations. In October 1971, the Special Action Office and the Department of Defense conducted a Drug Abuse Training Institute for 165 military personnel working in drug programs in the United States. Earlier, as a result of arrangements made by the Special Action Office, 20 U.S. Army treatment personnel were given a 10-day training course as part of the Illinois Drug Abuse Program prior to being sent to Vietnam.

**Assistance.** The Special Action Office began seeking to assist State and local governments to enhance their own capacities to deal with drug abuse through a program of technical assistance and several funding projects.

The technical assistance program includes an expanded information effort within the National Clearinghouse for Drug Abuse Information of the Department of Health, Education, and Welfare. The Clearinghouse has developed an inventory and description of all Federal, State, and local drug abuse treatment, rehabilitation, education, and research programs. This inventory is derived from reporting forms distributed to agencies dealing with these programs. Also available through the Clearinghouse is a complete bibliography of literature dealing with all aspects of drug abuse prevention.

In addition, the Special Action Office assembled teams of professionals who travel to States and local communities to provide technical assistance and to facilitate cooperation at the community level among the many programs funded or operated by different Federal agencies, including the Veterans Administration and the Department of Defense.

**Medical school programs.** In a related effort, the Special Action Office initiated a new program to assist medical schools in the development of effective drug abuse and alcohol abuse curricula. Jointly sponsored by the Special Action Office, and the Division of Narcotic Addiction and Drug Abuse of the National Institute of Mental Health, the program awards training grants of from 1 to 3 years to medical schools for use by tenured faculty members.

Following his training, each grantee forms a nucleus for teaching in the area of the addictive states (including addiction to the opiates and dependency on alcohol) at his medical school. This teaching is not only of benefit to medical students, residents, and post-graduate students, but also of service to the medical profession in the communities where the medical schools are located.

**Street crime.** The Special Action Office also became actively concerned with one of the most serious by-products of drug addiction—street crime. In cooperation with the Law Enforcement Assistance Administration, the Office began conducting a pilot program to test a new concept of providing drug treatment as a direct alternative to street crime. The approach stresses rehabilitation instead of imprisonment as a means of preventing the addict from committing street crimes to obtain money to support his habit.

Under the Treatment Alternatives to Street Crime (TASC) Project, first launched in Wilmington, Del., and now being developed for testing in a number of metro-

politan areas, drug-dependent arrestees are identified through interviews and urinalysis screening following police processing. The arraignment judge is given the results of this identification in order to ascertain whether the arrestee will be offered treatment as a condition of bail. Detoxification begins where necessary.

Continuous evaluation and followup take place during treatment until the individual's case comes up for trial. The judge may then take into account the cooperation of the addict and the success of his treatment program to date. He may determine that the addict should remain in the drug treatment program as an alternative to prosecution and possible incarceration. It is hoped that the TASC project will help to break the heroin-crime cycle prevalent in every major U.S. urban area.

**Methadone treatment.** A new series of Federal initiatives relating to the use of methadone in drug abuse treatment programs was developed by the Special Action Office in conjunction with the Food and Drug Administration (FDA) and the Bureau of Narcotics and Dangerous Drugs. Under one project, 100 FDA inspectors and Public Health Service medical professionals, organized into two-man teams, conducted a review of all methadone maintenance programs in the United States. These teams made recommendations to improve the quality of medical and counseling aid to patients participating in these programs. They also examined procedures to safeguard against the diversion of methadone into illicit channels.

New Federal guidelines for methadone maintenance programs also were developed. The guidelines have the effect of removing methadone from the category of an experimental drug and recognizing methadone treatment as a legitimate medical procedure under strict Government supervision.

**New controls.** At the same time, in order to prevent methadone from reaching illicit channels, the new regulations are intended to remove methadone from retail pharmacies, permitting its distribution only through authorized maintenance programs or through hospital pharmacies.

**Patient identification.** In a further effort designed to prevent diversion of methadone into illicit channels, while at the same time protecting patient confidentiality, the Special Action Office and the National Bureau of Standards developed a unique system of patient identification. The system is designed to prevent a patient from registering in more than one methadone maintenance program at the same time. Thus, instances of diversion and the risk of accidental overdose would be diminished.

Since it was concluded that the use of fingerprints with its law enforcement connotations might cause addicts to avoid seeking treatment, the new identification system was a print of the ball of the right foot. Like fingerprints, the ball of the foot of each individual is unique and can be coded and classified.

In practice, footprints made on special paper are made of each addict upon registration at a clinic. The print is given an identifying number and sent to a central clearinghouse. There, a search of the files can reveal whether an addict is already registered with another clinic.

This new identification is not associated by the addict with law enforcement and possible trouble for himself. The system has been pilot-tested in Washington, D.C., with satisfactory results.

**Long-lasting drug.** While methadone is providing a useful tool in the treatment and rehabilitation of drug users, the fact that it is administered in daily doses can create problems in the rehabilitation and control process. The Special Action Office, in conjunction with the Department of Defense and the National Institute of Mental Health, began testing a form of long-lasting methadone which would reduce the number of times per week the drug must be dispensed to the addict.

The testing was carried out at the clinical facilities of the U.S. Army's Edgewood Arsenal. If this new drug is effective, the problems connected with methadone maintenance could be reduced considerably. Intensive research efforts are also being made to develop nonaddictive "non-narcotic" drugs which can be effective in the treatment of heroin addicts.

**Education and training.** In an effort to meet the severe shortage of personnel trained in drug education, treatment, and rehabilitation, the Special Action Office completed plans for the establishment of a National Drug Abuse Training Center.

The Center, which will be located in Washington, D.C., will begin operations in June, 1972. It will train individuals from all parts of the United States who have responsibility for initiating and operating community drug control programs or are working in such programs.

The programs offered by the Center will provide both basic and specialized training and will be tailored to meet the needs of a wide variety of personnel, ranging from leaders and decision makers to professional and paraprofessional workers. They will serve the needs both of those who are already actively engaged in treatment, rehabilitation, and prevention programs and those who are about to be employed in such programs.



Acting Under Secretary for Drug Abuse Prevention in the Executive Office of the President, and gave it certain fund authorizations and responsibilities.

A description follows of major elements of this legislation.

**Director.** The act gave the Director of the Special Action Office broad authority to "provide overall planning and policy and establish objectives and priorities for all Federal drug abuse prevention functions."

To accomplish this function, the Director was charged with:

- [ ] Examining the consistency of Federal programs with the national drug abuse strategy by reviewing regulations, guidelines, and procedures of the Federal agencies involved;
- [ ] Recommending organizational, managerial, or personnel changes which may be deemed necessary to fulfill the objectives he sets forth;
- [ ] Reviewing Federal legislation pertaining to rehabilitative services and assuming that Federal agencies involved perceive drug abuse as a health problem;
- [ ] Evaluating the results of various Federal drug abuse prevention programs and the possible performance and results of alternative programs;
- [ ] Requiring reports and information necessary to carry out the purposes of the act from Federal agencies with drug abuse prevention programs;
- [ ] Coordinating the performance of Federal drug abuse prevention programs; and
- [ ] Establishing more effective ways of determining the extent of the drug abuse problem in the United States.

**Appropriations authorized.** The Congress authorized the President to expend funds for specified functions of the Special Action Office in addition to other Federal drug abuse prevention funds. The act provided for the abolishment of the Office effective June 30, 1975.

For example, the legislation provided authorization for a Special Fund to provide encouragement to other Federal departments and agencies in drug abuse prevention efforts. This was intended to give the Director of the Special Action Office the means to respond quickly to the development of promising programs and approaches. No more than 10 percent of the Special Fund could be utilized to develop new concepts in drug abuse prevention through the Special Action Office. The remainder was to be transferred to Federal departments and agencies for supplementing existing programs or developing new programs.

In addition, the Congress provided authorization for appropriation of funds for certain priority research programs. The Congress specifically charged the Director with encouraging research in nonaddictive substitutes for opium used for medical purposes, long-lasting drugs used as blockage agents in treating heroin addiction, and detoxification agents to aid withdrawal from heroin addiction.

The legislation authorized appropriation of limited ad-

ditional funds through coordination of efforts and through the establishment of a central clearinghouse of information for Federal, State, and local governments.

The Director also could offer technical assistance by providing professional advice and consultation, drafting model State and local legislation, convening conferences of officials at various levels of government, promoting uniform procedures relating to applications for funding of drug abuse control and treatment proposals, and utilizing task forces to examine State and local drug abuse problems and help develop plans and programs in response to those problems.

A National Drug Abuse Training Center, established by the Director, was authorized \$3 million for FY 1973. This Center will conduct or arrange training, seminars, conferences, and other activities with respect to drug abuse prevention functions. Its services will be available to Federal, State, and local government officials and others such as medical personnel and educators.

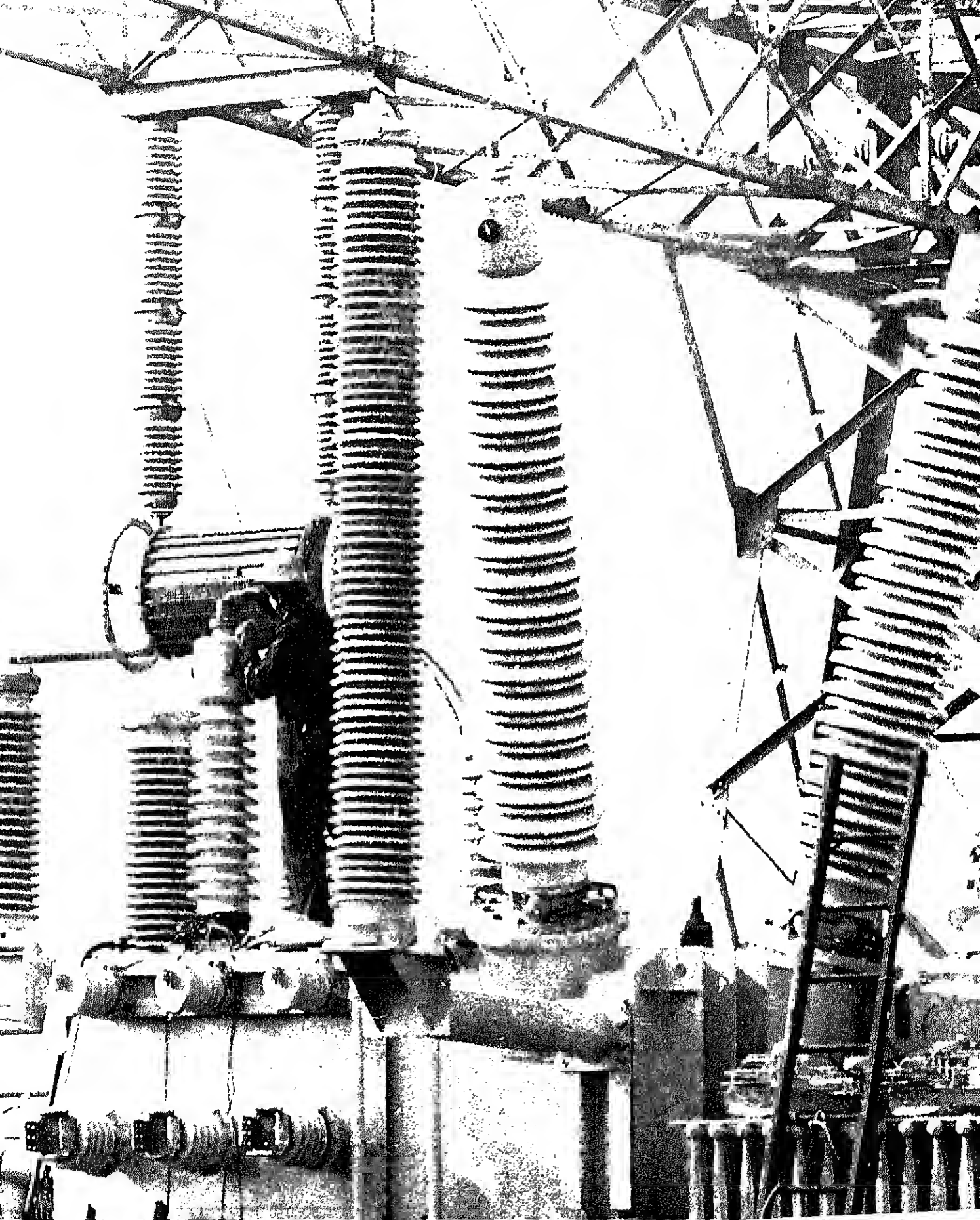
**National strategy.** The act provided for a Strategy Council to develop the coordinated, long-term Federal strategy relating to the prevention of drug abuse and drug trafficking. The Council was to be established by the President, and the strategy developed is to be promulgated by the President within 9 months of the enactment of the legislation.

Membership in the Council includes the Director of the Special Action Office; the Attorney General; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Administrator of Veterans Affairs; and other officials deemed appropriate by the President.

The strategy must contain: (1) an analysis of the drug abuse problem and a study of the positive and negative factors of the interrelationship between methods of solving the problem; (2) a Federal plan for drug abuse and drug traffic prevention, including how various resources, programs, services, and facilities should be utilized; and (3) an analysis of major programs, plans, results, and expenditures in the Federal effort against drug abuse.

**Advisory Council.** The act established a 15-member National Advisory Council for Drug Abuse Prevention. Members were to be chosen by the President, with ex officio membership extended to the Secretary of Health, Education, and Welfare, and to the Administrator of Veterans Affairs.

The work of the Council is largely to advise and make recommendations on overall policy and planning for Federal drug abuse prevention functions. The Council makes its recommendations, which may cover any related Federal programs, to the Director of the Special Action Office.





Protection of classified data on atomic energy matters, regulation of the atomic energy industry, and application of radiation research to forensic medicine and crime analysis are among the law enforcement activities of the Atomic Energy Commission (AEC).

Law enforcement activities of the AEC include reporting potential antitrust violations within the atomic energy industry to the Department of Justice.

Research activities are aimed at developing new ways to identify physical evidence, objects, and people.

**Regulatory jurisdiction.** The AEC has licensing and regulatory authority over persons possessing, using, and transferring certain radioactive material and nuclear facilities. It also conducts programs for research and development, international cooperation, production of atomic energy and special nuclear materials, and the dissemination of scientific and technical information.

Violations of provisions of the Atomic Energy Act are referred to the Federal Bureau of Investigation or to the Department of Justice for appropriate disposition.

**Crime reduction research.** The Division of Biology and Medicine conducts research and development concerned with application of neutron activation analysis to scientific crime investigation, such as: isotopic identification of bullet-hole characteristics; detection of hidden drugs or explosives; nuclear technology in art identification; drug analysis and tagging; and nuclear techniques in forensic analysis.

### Law Enforcement Activities

**Background.** The Atomic Energy Commission, under the Atomic Energy Act of 1954 (42 U.S.C. 2011 *et seq.*), has licensing and regulatory authority over persons possessing, using, and transferring certain radioactive material and nuclear facilities from the standpoint of radiological health and safety and the common defense and security.

The AEC also is authorized to conduct programs for research and development, international cooperation, production of atomic energy and special nuclear materials, and the dissemination of scientific and technical information.

**Enforcement functions.** Enforcement functions are generally carried out by the Directorate of Regulatory Oper-

budget for the two divisions was \$7 million and 224 persons were employed. Corresponding figures for FY 1970 were approximately \$4.6 million and 163 persons; for FY 1969, \$3.6 million and 153 persons.

These divisions report possible violations of licensing and regulatory provisions of the act to the Department of Justice for possible prosecution, but no such referrals were made in the past 3 fiscal years.

**General criminal provisions.** Sections 222-227, 229, and 230 of the Atomic Energy Act (42 U.S.C. 2272-2277, 2278a, 2278b) provide criminal sanctions for willful violations of the act or Commission regulations; for communication of, receipt of, or tampering with restricted data with intent to injure the United States or secure an advantage to any foreign nation; for disclosure of restricted data to persons not authorized to receive it; and for trespass or photography of Commission installations. Information concerning possible criminal violations of the act is reported to the FBI for investigation and action.

**General criminal referrals.** In FY 1971, 94 referrals were made to the FBI concerning information about such matters as theft or loss of Government property, falsification of records or fraud, and similar crimes under Federal statutes other than the Atomic Energy Act. Referrals were made primarily by AEC field offices. There were 94 referrals in FY 1970 as well, and 95 in FY 1969.

**Restricted data.** The AEC Division of Security also makes referrals to the Department of Justice of information relating to violations of the Atomic Energy Act pertaining to communication of, receipt of, tampering with, or disclosure of restricted data. Five such referrals were made in FY 1970; one referral was made in FY 1969; and none was made in FY 1971.

**Licenses.** Although there is provision for criminal penalties for violations of the licensing sections of the Atomic Energy Act, activities under those sections are controlled almost exclusively under the Commission's licensing and regulatory authority.

**Antitrust cases.** The act requires the AEC to report to the Department of Justice any information concerning companies engaged in atomic energy activities which might violate Federal antitrust laws. The act also requires the Commission to consider the antitrust implications



tions, solicited and carried members of the general public under the guise of operating legitimate affinity charters.

Similarly, chartering organizations and travel agents unlawfully participated in the sale of individually ticketed seats on flights to the general public purporting to offer *pro rata* charter transportation and in many cases acting as unauthorized indirect air carriers.

The results of these fraudulent activities have been monetary loss to passengers, strandings, international friction, and a weakening of the air transport system as a whole.

During FY 1971, proceedings in 12 dockets alleging violations of the CAB's charter regulations, first initiated in FY 1970, were continued against three scheduled air carriers (Pan American, TWA, and KLM), against five U.S. supplemental air carriers (World Airways, Overseas National, Capitol, American Flyers, and Saturn), and two foreign charter carriers, Caledonian (British) and Atlantis (West German). Included were two other parallel dockets, making a total of 61 East and West Coast chartering organizations, travel agents, and individuals. In these proceedings, five consent cease-and-desist orders were issued against 16 respondents.

In addition, in FY 1971 formal complaints for consideration by the Board were filed against a foreign air carrier, Air France, and a U.S. supplemental air carrier, American Flyers, alleging violations of the Board's charter regulations. A formal complaint also was filed in May 1971 against three travel agents and a British air charter carrier, Donaldson International Airlines, for contracting to perform over 20 charter flights without the required authorization.

**Tariff violations.** Tariff violations, including overcharges and discriminatory rebates, continue to plague the industry in both passenger and cargo operations. Whenever the consumer is overcharged for air transportation, action is taken by the CAB to assist the consumer in obtaining an appropriate refund.

In FY 1971, litigation in this area included a formal complaint filed against a charter group (Special Services School Teachers Group, Inc.) and five foreign air carriers (Alitalia, Air France, Lufthansa, Sabena, and SAS) for charging affinity group fares to members of organizations that did not qualify as valid affinity groups. Following an investigation of cargo rates, formal proceedings to obtain cease-and-desist orders also were filed against four direct air carriers (Delta, Airlift, National, and Eastern), and four airfreight forwarders (Skyline Air Freight, Shulman Air Freight, Wings and Wheels, and Air Express). In addition, cease-and-desist orders were issued against six individuals and four clubs (Transworld Medical Club, Transworld Professional Club, United European-American Club, and the International Club of California) to stop the practice of overcharging on charter flights.

**Unfair and deceptive practices.** Intense competition among the airlines has led to widespread misrepresen-

tations. Aloha Airlines.

**Overbooking.** Another area of enforcement involves boarding of passengers. Many domestic and foreign air carriers overbook flights with consequent inconvenience and hardship to passengers. The CAB has issued regulations requiring carriers to establish priority rules and criteria for determining which passengers holding confirmed reserved space shall be denied boarding on an oversold flight, and providing that compensation must be paid to passengers denied boarding under specified circumstances. Numerous violations involving denied boarding were dealt with informally during FY 1971, and a cease-and-desist order for recurring boarding violations was issued against Northeast Airlines.

**Credit terms disclosure.** Another area of enforcement activity was brought about by amendments to the Consumer Credit Protection Act of 1968 requiring accurate and full disclosure of credit terms offered to consumers. The amendments regulate the issuance of unsolicited credit cards, and require consumer credit reporting agencies to adhere to fair and equitable procedures to ensure confidentiality and accuracy, as well as the proper use of credit information (Fair Credit Reporting Act). A systematic program was instituted to advise the airlines of the requirements of these provisions and to obtain compliance. Some 24 cases were opened regarding truth-in-lending issues, most of which involved failure to make required disclosures in credit card application forms and billing statements. These cases have been informally pursued, and the deficiencies, with few exceptions, have been corrected.

**Unauthorized air transportation.** In order to ensure a high degree of safety and economical and efficient services at reasonable charges, all persons and firms offering air transportation and services first must obtain CAB authorization. Infractions of this requirement by so-called indirect air carriers are particularly difficult to discover and prevent. During FY 1971, cease-and-desist orders were issued to 14 persons and firms engaged in such activities, and civil penalties were assessed against an inclusive tour operator (Simmons Group Journeys).

**Air taxi operators.** Air taxi operators have grown vastly in numbers and services during the past few years and are fast becoming the predominant means of air transportation to small communities. The size of equipment used in air taxi operations, the relationships between air taxi operators and common carriers, and the liability and insurance responsibilities of air taxis require constant vigilance to adequately protect the public. With more than 3,000 air taxi firms offering both scheduled and irregular services, this activity required constant surveillance and numerous compliance measures during FY 1971.

sult of influencing law enforcement by:

- ☐ Expediting disclosure of violations;
- ☐ Ensuring that infractions are brought to the attention of the proper agency;
- ☐ Avoiding conflicting or duplicative actions by two or more agencies; and
- ☐ Benefiting from the prior experience and expertise of the various agencies on particular problem areas.

## Court Actions

In June 1971, the CAB instituted a precedential court action in the U.S. District Court for the Eastern District of New York to enjoin Alitalia, the Italian flag carrier, from selling reduced rate transportation at a fare that had not been properly filed and processed before the Board.

The distinguishing element in this case was that the foreign air carrier involved sought to justify its violation of the Federal Aviation Act and of the Board's tariff violation on the basis that its National Government had ordered it to charge the rate in question.

However, Alitalia assumed the court that the tariff violation would be immediately stopped, and further court action was accordingly suspended.

In another innovative measure, the CAB, represented by the Department of Justice, submitted a memorandum *amicus curiae* to a U.S. district court in California to aid that court in ruling on a request for an injunction by a private party in a civil suit dealing with air charter flights. This proceeding culminated in the issuance by the court of a preliminary injunction barring further charter flights by the three defendant organizations.

The CAB has also instituted two court proceedings in the U.S. District Court for the District of Columbia against three parties who failed to honor CAB subpoenas. In both proceedings the court upheld the validity of the CAB subpoenas, and ordered the witnesses to appear before CAB hearing examiners. To obtain future compliance, the Board plans to use the Federal court procedures at every opportunity.

## Interdepartmental Cooperation

The emphasis in the Board's enforcement program is to obtain compliance with the Federal Aviation Act, and the Orders and Regulations issued by authority of the act. However, the Board has also cooperated with other U.S. Government agencies regarding enforcement facilities and resources.

CAB shares with the Federal Aviation Administration responsibility for enforcing the Federal Aviation Act, and enforcement tasks are complementary. A joint program was established in FY 1971 to improve enforcement activities, as envisioned by a report of the Department of Transportation. Key enforcement personnel of the two agencies instituted the program during the past year with a joint inspection and surveillance trip to the Houston, Tex., and Miami, Fla., gateways.

Other agencies with which the CAB cooperates in enforcement activities are the National Transportation Safety Board, the U.S. Postal Service, the Department of Defense, the Department of State, the Interstate Commerce Commission, the Federal Trade Commission, the

## Assistance to States

CAB's enforcement staff has assisted State and local authorities in regulating aspects of air transport within their respective jurisdictions. This assistance has not taken the form of financial aid, but has been developed through consultation, the exchange of views and information, and the use of complementary informal measures and formal administrative or court proceedings.

The following illustrations exemplify the broad range of assistance possibilities and of administrative levels serving as channels for such aid:

(1) The issue of what constitutes an indirect air carrier arose before the U.S. District Court for the Central District of California in an injunction action by a private party seeking to enjoin the operation of certain illegal charters. To assist the court in its deliberations, CAB, represented by the Department of Justice, submitted a memorandum *amicus curiae* on the indirect air carrier issue, and the court issued a preliminary injunction barring further charter flights by the three defendant organizations.

This action permitted the Office of the Attorney General of California to initiate other measures to eliminate unlawful air charter practices, based on the proposition that the holding out and performance of air transport activities not duly authorized under Federal law and regulation can constitute fraud. CAB staff assisted the assistant attorney general of California in pursuing these measures through informal consultation procedures.

(2) In a separate action, the Board's enforcement officers collaborated with the District Attorney for San Francisco, Calif., in developing a case against a travel agent who was engaged in the sale of illegal charters to the general public. These efforts culminated in the conviction of the travel agent for travel agency fraud, and subsequently to his deportation from the United States to Ireland.

(3) On the municipal and administrative level, the CAB enforcement staff has collaborated with the Department of Consumer Affairs of the City of New York in developing and carrying out aspects of its consumer protection programs involving air transportation.

The Board's experience during FY 1971 in its consultation and collaboration with State and municipal law enforcement agencies confirms the mutual and reciprocal value of such assistance and interchange, and lends support to its program for continuing and expanding these relationships.

Biscayne Bay. During FY 1971, more than 30 additional civil suits were filed. Fourteen such civil actions were settled by consent decrees.

In addition, during FY 1971 nine of the 10 cases brought under the act against facilities discharging mercury were settled by interim consent decree. In the tenth case, the plant was shut down. The stipulations and the plant shut-down resulted in a total reduction in mercury discharged from these facilities from 139 pounds to 2 pounds daily. Final disposition of these cases awaits review by EPA of the defendants' plans for further reductions in mercury discharges.

Other civil suits have produced impressive results. The International Telephone and Telegraph Corporation Rayonier pulp processing plant in the State of Washington agreed to construct, at a cost of about \$22 million, a waste treatment plant recommended by EPA. A General Motors Corporation automobile assembly plant in New York agreed to install large treatment tanks at a cost of over \$2 million. In a number of cases involving relatively small manufacturing establishments, complete relief was secured immediately.

**Federal Water Pollution Control Act.** The Federal Water Pollution Control Act also provides EPA with mechanisms for controlling water pollution, especially involving oil discharges.

Subsection 11(b)(4) of the act, the only criminal provision in the entire statute, appears in the section devoted to the prevention and control of pollution by oil.

Subsection 11(b)(1) contains a statement of policy that "there should be no discharges of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone." Subsection 11(b)(2) prohibits (with certain exceptions) the discharge of oil "in harmful quantities," as determined by the President.

Executive Order 11548 delegated the authority to define what constitutes a harmful quantity of oil to EPA, in consultation with the Department of Transportation. The regulation subsequently promulgated by EPA provides three alternative definitions of harmful quantities of oil: a discharge which "violates applicable water quality standards, or cause(s) a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause(s) a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines" (40 CFR 110.3).

The statute provides a criminal and a civil sanction for violating the "harmful quantities" prohibition of subsection 11(b)(2). Under subsection 11(b)(4), persons in charge of a vessel or an onshore or offshore facility must immediately notify the appropriate Federal official as soon as they know that it is discharging oil in violation of subsection 11(b)(2). Failure to do so subjects those persons to a fine of up to \$10,000 or imprisonment for a maximum of 1 year or both. Subsection 11(b)(5) provides that a civil penalty of up to \$10,000 may be assessed by the Coast Guard against "(a)ny owner or operator of any vessel, onshore facility, or offshore facility from which oil is knowingly discharged in violation of [subsection 11(b)(2)]."

enforcement conference. The enforcement conference is a mechanism for bringing to light complex and standing pollution problems and for devising and implementing comprehensive, area wide abatement programs. The conference may be called at either State or Federal initiative if the pollution affects interstate waters. However, there must be a State request if the pollution causes only intrastate effects, unless the pollution causes economic injury to shellfish products.

Two new enforcement conferences were convened between December 3, 1970, when EPA was established and the end of FY 1971. The first conference covered the state waters of Long Island Sound in Connecticut, New York, and the second covered the navigable waters of Galveston Bay and its tributaries in Texas. By the end of 1972, EPA had convened eleven more enforcement conferences covering widely dispersed geographical areas with complex pollution problems.

In FY 1971, EPA also convened five conferences initiated rather than requested with attention from State, Lake Michigan conference, first convened in 1969, focused on the need to protect Lake Michigan waste heat discharges, or "thermal pollution," a more often called. The EPA Administrator issued conference minutes recommending closed cycle systems for new waste heat discharges and dead-end plants must in operation be installed abatement facilities. The Lake Superior enforcement conference, last convened in 1969, the conference dealt with one of the discharge tubes into the lake from a Reserve Company facility in Minnesota which is now before courts.

**Notification procedure.** The second enforcement conference under the Federal Water Pollution Control Act, also applicable primarily to interstate pollution, is notification both to the violator of water quality standards and to interested parties, followed by court action if necessary. Under the present law, 180 days must elapse after a notice of violation is issued before court action can be initiated, giving violators the opportunity to correct voluntarily.

In April 1971, EPA issued a violation notice to Reserve Mining Company because of its failure to prepare an acceptable plan to the Lake Superior enforcement conference for abating its discharge of tailings into the lake. The 180-day notice period did not produce acceptable results, and on January 20, 1972, EPA requested the Department of Justice to bring court action. On February 12, 1972, suit was filed in Federal court for civil injunctive relief under the Refuse Act as well as injunctive relief under the Federal Water Pollution Control Act. On May 1, 1972, the Department of Justice amended its complaint, alleging that the company's activities also constituted a public nuisance violative of Federal common law, under principles established by the Supreme Court.

One of the EPA Administrator's first official acts was to issue violation notices to three major cities—Akron, Cleveland, and Detroit. By the end of the 180-day notice period, EPA announced agreements with each of the three

## Air

**Quality standards.** The Clean Air Act, as amended, requires EPA to establish national air quality standards as well as national standards for significant new pollution sources, and for all facilities emitting hazardous substances. EPA has set national air quality standards for particulate matter, sulfur oxides, carbon monoxide, photochemical oxidants, hydrocarbons, and nitrogen oxides.

Under section 110 of the act, January 30, 1972, was set as the deadline for States to submit plans for implementing the national air quality standards. These implementation plans must include provisions for the adoption and enforcement of emission controls and limitations applicable to existing sources.

**Clean Air Act.** Under Section 113(a)(1) of the Clean Air Act, it is a criminal offense knowingly to violate any requirement of an applicable State implementation plan established under section 110, after having been ordered by EPA to comply with it, or knowingly to violate any EPA standard for a new stationary source of limiting hazardous pollutants.

First offenses are punishable by a fine of up to \$25,000 per day of violation, or by imprisonment of not more than 1 year, or both.

The EPA Administrator has published an initial list of five categories of stationary sources of pollution for which performance standards, requiring use of the best adequately demonstrated control technology in new facilities, will be established. The five categories are nitric acid plants, sulfuric acid plants, Portland cement plants, large incinerators, and fossil fuel steam generators. Asbestos, mercury, and benzidine have been designated as hazardous air pollutants for which Federal emission standards, applicable to all sources, will be promulgated.

The 1970 amendments to the act require stringent national emission standards for new automobiles: a 90-percent reduction from 1970 levels of hydrocarbons and carbon monoxide by 1975 and a 90 percent reduction of nitrogen oxides by 1976. The amendments also authorize EPA to set emission standards for air pollution from airplanes, authorize citizen suits to enforce the provisions of the act, and strengthen controls over pollution from Federal facilities.

**Enforcement.** Numerous enforcement options are available to the Administrator under the Clean Air Act. After a 60-day notice, he may issue an administrative order requiring compliance or he may commence a civil action for injunctive relief against any person who violates any requirement of a federally approved implementation plan.

Pursuant to the Clean Air Amendments of 1970, the President named on June 30, 1971, Executive Order 11602. The order provides for facilities involved in convictions under the Clean Air Act for noncompliance with standards to be barred from entering procurement or other contracts with the Federal Government and from re-

## Pesticides

Under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act, it is unlawful to ship in interstate commerce a pesticide that has not been registered under section 4 of the same act, or one that is misbranded. Section 8 provides that a violation of section 3 is a misdemeanor. A maximum fine of \$500 may be imposed upon conviction for the first offense; subsequent convictions are punishable by a maximum fine of \$1,000 or imprisonment up to 1 year.

**Registration.** EPA may cancel a pesticide registration when the label of the product, if complied with, is inadequate to prevent injury to "man and other vertebrate animals, vegetation, and useful invertebrate animals." Suspension of a pesticide registration, unlike cancellation, stops interstate shipment immediately and can be initiated only when the product presents an "imminent hazard."

In January 1971, a Federal court of appeals decision departed significantly from the prevailing interpretation of the registration cancellation provisions in the act. The court declared that "Congress intended any substantial question of safety to trigger the issuance of cancellation notices," so that interested parties can participate in hearings on the question of cancellation. Pursuant to the court's directive, EPA issued notices of cancellation of all registrations of pesticides containing DDT. (*Environmental Defense Fund v. Ruckelshaus*, 439 F. 2d 584 (D.C. Cir. 1971).) In March, EPA initiated cancellation proceedings on all registrations for aldrin, dieldrin, and Mirex. (Pesticide Regulation Notice No. 71-1 (January 15, 1971), available from EPA.)

**Interstate shipment.** During FY 1971, the Pesticides Regulation Division (which was a component of the Department of Agriculture until December 2, 1970) served 1,036 notices of contemplated criminal proceedings under section 3 against 479 firms. In addition, it recommended to the Department of Justice that criminal proceedings be instituted against seven firms in cases involving a total of 63 violations. Criminal prosecutions were initiated against two of the firms. After entering a plea of guilty, the Holder Corporation of Huntington, W. Va., was fined \$800; the other criminal case is still pending.

During FY 1971, the present Pesticides Enforcement Division was an undifferentiated portion of the Pesticides

These stations are used for two-way police radio communications between central headquarters or precincts to squad cars, scooters, and individual patrolmen.

Frequency allocations have risen sharply since the first uses of police radio communications. In 1916, the New York City Police Department began operating the first police radio station, using it to communicate with its harbor patrol boats. The Detroit Police Department experimented with radio communication in 1921 (using the call letters KOP).

Currently, there are more than 17,000 police radio stations in operation.

**Assignment of police frequencies.** A certain number of radio frequencies are reserved for police, fire, safety, and other special public use. They are assigned by a regulatory unit of the FCC, the Safety and Special Radio Services Bureau.

This Bureau regulates and assigns radio frequencies in several areas of interest to law enforcement, including aviation (aircraft and ground); marine (ship and coastal); and public safety (police, fire, forestry conservation, highway maintenance, local government, special emergency, and State guard).

**Police Radio Service.** Radio frequencies reserved for police use are located in a portion of the radio spectrum referred to as the Police Radio Service. Specific frequencies within this spectrum are assigned to police departments and other appropriate law enforcement agencies by the Safety and Special Radio Services Bureau.

At the end of FY 1971, there were 17,543 stations operating in the Police Radio Service. Channels in the following frequency bands are reserved exclusively for police use: 25-50 MHz; 150-171 MHz; and 450-470 MHz. The 450-470 MHz was allocated recently to the Police Service, increasing communications capacity by approximately 20 percent.

**Local Government Radio Service.** Radio frequencies reserved for use of local governments are located in a portion of the spectrum referred to as the Local Government Radio Service.

Police departments often have use of frequencies assigned to this service, where local governments consider that it is warranted. At the end of FY 1971, there were 12,048 stations operated by local governments, compared with about 1,700 a decade ago.

**More frequencies.** In June 1971, a rulemaking (Docket 18621) resulted in the allocation of up to 68 pairs of

additional frequencies for police and other public agencies where the need is most severe by providing the sharing of one or two of the lower seven UHF vision channels (14 through 20) within 50 miles of the Nation's 10 largest urban areas.

The areas involved are: New York, Northeast Jersey, channels 14 and 15; Los Angeles, channels 14 and 20; Detroit, channels 15 and 16; San Francisco, Oakland, channels 16 and 17; Boston, channels 15; Philadelphia, channels 19 and 20; Pittsburgh, channels 14 and 16; and Cleveland, channels 14 and 15.

However, the acquisition of completely new equipment for operation in newly allocated UHF frequencies does take time and the new equipment is expensive.

Many municipalities and police departments are receiving financial assistance from the Law Enforcement Assistance Administration (LEAA) to acquire the equipment needed to utilize the newly available frequencies. LEAA has found that the need for modern communications equipment is one of the greatest currently felt by State and local police departments and other criminal justice system agencies.

## General Law Enforcement Communications

The Commission took a number of actions in 1971 relating to general law enforcement needs in the communications field.

Descriptions of key actions follow.

**Emergency call boxes.** The Commission adopted rules that permit the use of radio frequencies for emergency call boxes in public streets. The public can call police and other emergency aid simply by pushing a button.

**Nonvoice communications.** Other rules adopted in FY 1971 permit police agencies to employ modern communications techniques in their communications, such as mobile teleprinters, digital access to control room patrol cars, and increased use of nonvoice communications to speed routine messages.

**Tracking and locating vehicles.** In collaboration with LEAA and other Federal agencies, the Commission has been studying systems for automatically tracking and locating vehicles. Responses to an FCC notice of inquiry indicated that state-of-the-art technology has progressed to the point where the optimum system

vehicle tracking and alarm systems in cooperation with the police department of New York, N.Y. The corporation has petitioned the FCC to assign certain frequencies to further develop this project. The Commission issued a ruling which would grant the request, if adopted.

**Assistance to license applicants.** In addition, the Commission made its personnel available to advise police representatives on regulatory requirements to aid them in communication systems planning and in the preparation of license applications.

## Prohibited Broadcasting

Although the Commission is prohibited by the Communications Act from intervening in broadcast program content, certain types of programs which could abet illegal gambling are not permitted. Among these are transmissions of certain information about lotteries and horse racing because of possible ties with organized crime.

In FY 1971, the Commission took administrative action against several broadcasters for violating Federal proscriptions against programming which directly supports a lottery (FEDERAL, FCC, and Commission rules).

Unlike lotteries, broadcasting certain horse racing information is not prohibited by statute, but the FCC has issued a policy statement forbidding it in cases where it abets illegal gambling.

In FY 1971, the City of New York and its Off-Track Betting Corporation requested a declaratory ruling that the FCC would impose no sanctions against licensees for broadcasting programs about legal State or local government sponsored off-track betting. The request raised a number of novel questions about the nature of permissible broadcasts that the Commission took under consideration.

## Crime Prevention Devices

**Intruder alarms.** The Commission adopted rules on August 18, 1971 (Docket 13864) to permit the increased operation of radio-frequency-operated intruder alarm devices for home and commercial use.

These devices emit a constant radio signal over a described field; the alarm is activated when the field is broken. They may be used in a variety of places and are considered particularly effective in such high-crime areas as transportation terminals.

**Television surveillance.** The Commission was also asked to permit the increased use of television surveillance devices and, on July 16, 1971, proposed rules which would accommodate certain types of such equipment (Docket 13281).

Television surveillance devices operated on closed circuits do not come under FCC jurisdiction except to the extent to which an oscillator (which might emit interference) is used. Studies in New York, N.Y., and other areas are being conducted to determine the feasibility of

radio television surveillance networks to relieve the burden on the radio services.

## Investigative Functions

To preserve the utility and integrity of all radio communications, including critical police messages, the Commission's Field Engineering Bureau investigates and attempts to eliminate all sources of interference, both inadvertent and intentional.

During 1971, field engineers investigated an increasingly common category of cases where groups participating in public disorders threatened interference to authorized radio services either directly or through the operation of unlicensed radio stations. Where law enforcement agencies suspected attempts to disrupt vital communications services, field engineers were called upon, at all hours, to monitor signals in demonstration areas.

Elsewhere, groups invaded broadcast stations to terminate service or coerce certain programming. In station-takeover situations, the Commission investigates whether the licensee maintained proper control of its facilities.

**Bombing.** Bomb threats to stations continued in FY 1971, and the actual bombing of KPFA, Houston, Tex., was referred to the Department of Justice for appropriate disposition.

**Unauthorized interception.** In cooperation with the FBI, Commission field personnel investigate allegations of unauthorized interception, and divulgence or illicit use of law enforcement radio communications, a violation of Section 605 of the Communications Act. Typical of such violations is the monitoring of police and public safety radio messages by tow truck operators who then might converge on the scene of automobile collisions and worsen the situation; or, the premature revelation of information elicited by the news media by persons auditing the communications of law enforcement units.

**Expenditures.** Because these programs are integrated within the Commission's comprehensive regulatory functions, budgetary figures specifically distinguishing those activities having a direct impact on the criminal law enforcement activities of Federal, State, or local entities are not available.





Burglarized Post Office safe.

the activity of Postal Inspectors in field divisions and at Headquarters.

On completion of the Internal Revenue Service Special Agent Basic School, these law enforcement officers spend a day and a half at Postal Inspection Service Headquarters and receive briefings from senior personnel on various aspects of the criminal and security work of Postal Inspectors. The agenda includes a filmed presentation of the work of the Crime Laboratories, a slide-illustrated briefing on technical equipment in field use and under development by the Postal Services Law Enforcement Science and Technology Branch, and a visit to that Branch for first-hand inspection of this equipment.

As cooperation and assistance of local law enforcement authorities is essential to Inspection Service activity, the briefings have been mutually advantageous and areas of common interest have stimulated lively discussions between lecturers and students.

Postal Inspectors are frequently called upon to speak before many and varied law enforcement agencies, professional and technical organizations, and other groups. In FY 1971, Postal Inspectors responded to more than 2,000 requests to address such gatherings.

These appearances before distinguished and well-known organizations afford the Service an opportunity to acquaint those present with the problem areas confronting Postal Inspectors in their efforts to combat rising crime. The open discussions following the talks are

dealers by inaugurating, in the Department of Justice, a program to identify and prosecute more vigorously those persons violating the Postal Obscenity Statute (18 U.S.C. 1461).

The effectiveness of this joint effort is demonstrated by the results achieved.

During FY 1971, 54 individuals engaged in commercial mail-order obscenity operations were indicted by Federal grand juries, and 23 were convicted. At the close of the fiscal year, there were 69 individuals under indictment awaiting trial. The reduction in the volume of postal customer complaints attests to the effectiveness of the program to curb the flow of pornography by mail. Complaints of receiving unsolicited obscene advertisements through the medium of the mails totaled 168,390 in FY 1971, a 41-percent decline from the high of 284,266 in the prior fiscal year.

In that short period of FY 1971 that the sexually oriented advertisement statute (39 U.S.C. 3010) was in effect, there were 202,305 applications filed by adult postal customers which resulted in a total of 410,172 names being placed on the official Postal Service list of persons not desiring such advertisements. In addition, there were 43 reported violations of 39 U.S.C. 3010 and 18 U.S.C. 1735.

**State and local assistance.** In FY 1971, Postal Inspectors also provided assistance to State and local authorities which culminated in 183 indictments and 78 convictions in connection with violations of their statutes by commercial mail-order obscenity dealers.

**Narcotics and dangerous drugs.** In the past, the investigative role of the Postal Inspection Service in illegal traffic in narcotics and dangerous drugs was primarily one of cooperation with other agencies (Bureau of Narcotics and Dangerous Drugs, Bureau of Customs, and State authorities) for prosecution under statutes within their jurisdiction. Prior to May 1, 1971, the basic Federal laws which provided for the limited statutory entry of the Postal Inspection Service were: 18 U.S.C. 1716, which prohibits the mailing of poisons and injurious articles; and 18 U.S.C. 1403, which provides felony sanctions against the use of the mail in committing or conspiring to commit certain drug offenses.

Section 403(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 increased the responsibility of the Postal Inspection Service by prohibiting the use of the mails or any other communications facility for committing, causing, or facilitating the commission of any felony under the act and by making the use of the communications facility a separate offense. Although the enforcement responsibility under title II of the act primarily rests with the Bureau of Narcotics and Dangerous Drugs and with the Bureau of Customs, under title III of the act, the Postal Inspection Service role in the overall effort has necessarily been expanded to meet the added responsibilities of section 403(b) of the act.

In FY 1971, the Postal Inspection Service completed 3,848 investigations in postal-related narcotics and dangerous drugs cases, an increase of 56 percent over the 2,458 investigations in FY 1970.

did so in the past. The Post Office appears to have become a symbol of Federal authority and the target of disaffected members of society.

In FY 1971, there were 616 bomb scares at postal installations. These resulted in the evacuation of 34,525 employees and the loss of 26,375 man-hours. There were 13 actual bombings, and 90 bombs were mailed out. There were 150 instances in which other explosives were sent through the mails.

Federal law (18 U.S.C. 1716) has for many years proscribed the mailing of explosives, bombs, infernal machines, etc., and is the statutory vehicle under which the Inspection Service has long and successfully conducted investigations relative to such matters. With the passage of the Organized Crime Control Act of 1970, additional statutory authority can now be invoked under section 844(e) and (f) of the act against those individuals attempting bomb assaults or threats against postal facilities, personnel, or equipment.

Immediate action by Postal Inspectors includes examination of postal facilities, searching postal premises, efforts to identify and apprehend offenders, and liaison with Federal and local police authorities as necessary. Selected Postal Inspectors are continually being trained to cope with any bombing exigencies that may arise.

**Firearms.** The mailing of concealable firearms, with certain exceptions, is prohibited by 18 U.S.C. 1715 and enforcement is entrusted to the Postal Inspection Service. Neither the Gun Control Act of 1968 (P.L. 90-618) nor the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351) amends or restricts provisions of 18 U.S.C. 1715.

During FY 1971, the Inspection Service conducted 365 investigations concerned with mailed firearms.

**Research.** At the request of the Postal Inspection Service, the Research Department of the U. S. Postal Service is working on a project to detect bombs, explosives, weapons, and narcotics in the mailstream. To date, an entirely favorable resolution of this project has not been feasible due to the speed at which mail is processed, the self-positioning of parcels passing a detection device to be located at a specific point in the mechanized mail-flow system, and other technical problems.

Current research has been directed toward detecting metal masses, narcotics, and explosives in a parcel by vapor determination. There has been some success in developing a low-level X-ray technique that enables the examination of a suspect parcel with low-dosage X-ray that is not harmful to personnel or damaging to photographic film that may be close to the detection point. To date, a total of \$304,000 has been expended on the combined project.

**Other prohibited mailing.** It is against the law to use the mails to engage in extortion involving threats to injure the reputation of a person or to accuse a person of a crime; to incite to arson, assassination, or murder; and to transport poisons or scurrilous or defamatory matter.

The Inspection Service investigated 11,801 suspect in-

stances of such crimes in FY 1971, resulting in 1,184 convictions.

## Mail Fraud

The Inspection Service contributes to the national consumer protection effort by enforcing the Mail Fraud Statute (18 U.S.C. 1341).

Although Postal Inspectors may not serve as intermediaries in the settlement of financial or property transactions conducted through the mails, their investigations frequently result in the discontinuance of fraudulent promotions. A total of 5,626 fraudulent promotions ceased operations in FY 1971 as a direct result of these investigative efforts.

**Consumer protection.** There is frequent cooperation between the Inspection Service and the various Consumer Protection Coordinating Committees being established throughout the country under Federal Trade Commission sponsorship. These Committees include representatives of State attorneys general, United States attorneys, and other law enforcement agencies, plus Better Business Bureaus, Chambers of Commerce, and related consumer-protection organizations. These Committees are being developed as a means not only of assisting consumers, but also to bring about corrections and improvements in the various trade practices in order to satisfy and, hopefully, eliminate consumer complaints. In addition, coordinated attention is given to identifying and seeking prosecution of those who would defraud consumers.

The Inspection Service frequently assists and cooperates with the Special Assistant to the President for Consumer Affairs in the investigation of numerous consumer complaints and inquiries which bear on possible misuse of the mails.

**Credit cards.** The Postal Inspection Service program to combat credit-card fraud has expanded each year since its inception in FY 1964. A nationwide system of Coordinators effectively operates in developing evidence of criminal violations and in channeling information bearing on credit-card investigations. Postal Inspectors investigating credit-card cases also have a close working relationship with State and local authorities.

The Mail Fraud Statute has been a most effective prosecutive tool in dealing with this type of fraud. In addition, many State and local laws have increasingly been applied in this effort.

During FY 1971, 436 convictions for credit-card fraud were obtained in 103 Federal courts and 333 in State and local courts. As of June 30, 1971, there were 1,281 investigations underway.

**Securities.** A similar category of fraud concerns stocks and bonds falsely promoted through the mails. Increased participation by the general public in securities investment has expanded this area of wrongdoing. Some common fraudulent schemes involving securities are:

- ☐ Substitution by a new management of watered or worthless securities for good ones in a company's assets.
- ☐ Placement of worthless, stolen, or counterfeit securities (sometimes mingled with good ones) as a collateral for a loan or as an offering to be exchanged for cash or other stocks and bonds.
- ☐ Offering for public sale securities purporting to be equity or mortgage interest in enterprises which, in fact, are nonexistent, dormant, or bankrupt, or the past assets of which have become dissipated.

The Postal Inspection Service investigates such schemes primarily to establish whether violations of 18 U.S.C. 1341 have occurred and to obtain evidence for prosecution under that law. In addition, Postal Inspectors work closely with the Securities and Exchange Commission and the Federal Bureau of Investigation when the laws they are charged with enforcing have also been violated. Cooperation with regulatory and enforcement agencies of the States also is extensive.

Although the number of investigations and convictions increased only moderately in the past fiscal year, the public loss uncovered in completed investigations was \$47,265,280, a 33-percent increase over FY 1970. Five percent of all indictments, arrests, and prosecutions were obtained under State laws.

**Business opportunity promotions.** Business opportunity promotions constitute still another category of mail fraud and often involve franchise, distributorship, and vending-machine schemes. Inspection Service investigations during FY 1971 halted about 69 fraudulent or borderline operations. Seven persons were convicted and another 62 were under Federal indictment by the close of the fiscal year.

While cooperation is extended to and received from State authorities, these schemes generally are prosecuted in Federal courts.

**Administrative sanctions.** The Fraud Order Statute (39 U.S.C. 3005) was amended by Congress in 1968 to eliminate the need to prove fraudulent intent prior to denying use of the mails to those who attempt to obtain money or property on the basis of false representation. Such frauds often involve the elderly.

Simultaneous with possible criminal action by the appropriate United States attorney, evidence pointing to a

violation of the civil statute is presented to the Law Department of the U.S. Postal Service for consideration of mail-stoppage action under administrative procedures. Administrative sanctions of this type often have been successfully employed in the course of a mail fraud investigation to prevent continuing public loss before the more stringent requirements of proof of criminal fraud could be developed for prosecutive action by the courts. During FY 1971, Inspection Service investigations resulted in administrative actions being taken in 163 instances.

**Private express.** The Postal Service maintains a legal monopoly on the transportation of letters. In FY 1971, 42 cases of private express violations were investigated. In the past, most of these cases were resolved through settlement out of court. Currently the constitutionality of the Government's monopoly on the carriage of letters in the mails is being challenged.

## Thefts and Assaults

**Post Office burglaries.** Since the earliest days of the Postal Service in this Nation, Post Offices and Letter Boxes have been targets of burglars. Prior to the 1960's, thieves most often sought cash or blank money orders, but their targets have shifted in recent years. Criminals discovered a new market for stolen stamp stock, and Post Office burglaries increased accordingly.

**Cash and stamp losses.** Detection measures led to identification of major Post Office burglary groups and stamp fences by selected Inspectors designated as burglary specialists. Investigations and subsequent arrests resulted in sharply reduced losses during FY 1971, with burglaries dropping from 1,972 in FY 1970 to 1,754 the following year. Cash and stamp losses fell similarly, from \$3,198,119 in FY 1970 to \$1,349,146 in FY 1971. Convictions in FY 1971 totaled 462.

Measures to enhance the security of postal facilities include installation of burglar alarms and safes. These devices saved an estimated \$1,969,135 in FY 1971 by defeating a number of burglary attempts. Recognizing that the burglary problem will continue, the Postal Service has budgeted \$300,000 for alarm systems in FY 1972 and \$2.5 million for safes.

Additionally, continuing examination is made of every known burglary countermeasure, old and new, for full realization of its potential and application as a part of an integrated prevention program.

**Money order thefts.** The theft of postal money orders,



**P-43 Office safe at Yorktown Heights, N.Y., destroyed in burglary.**

stolen in blank in post office burglaries, has been a continuing problem involving investigations by Inspectors of money order forgers and forgers. During FY 1971, investigations resulted in the conviction of 210 offenders. Intensified investigative and burglary prevention programs resulted in the number of stolen money orders decreasing from 72,868 in FY 1970 to 50,438 in FY 1971. A more dramatic reduction was in the number of these

stolen orders cashed during FY 1971, down from 4,868 in FY 1970, to 2,845 in FY 1971. Stolen money orders recovered during FY 1971 numbered 16,618.

Curbing internal theft. The Inspection Service has developed a new long-range plan for curbing internal theft of valuables. Total apprehensions for theft and mistreatment of mail rose from 1,316 in FY 1969 to 1,848 in FY 1971.

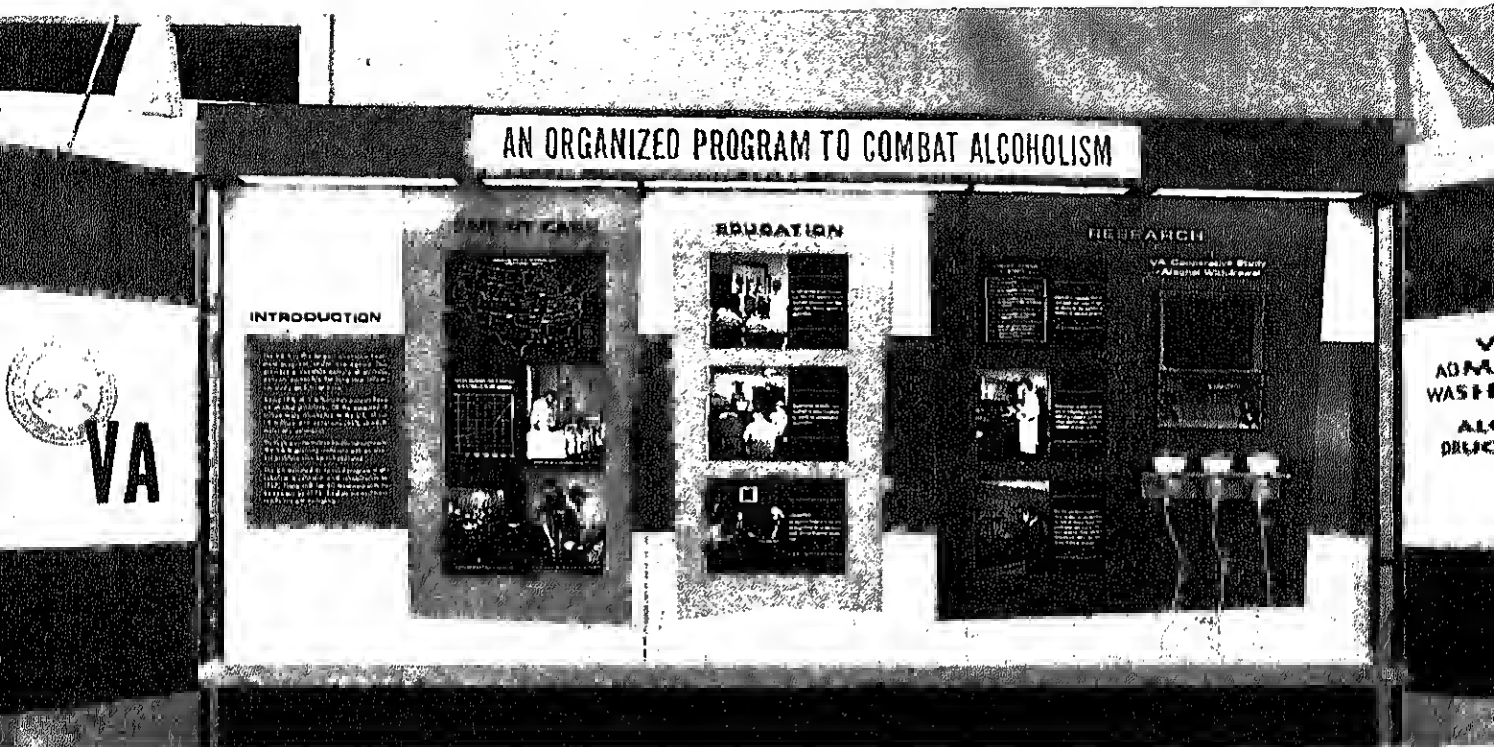
Optimum use is made of modern technical devices, such as closed-circuit television, special optical devices, time-

1969 a total of 8,015 persons was in protective

California, Connecticut, the District of Columbia, New York, Ohio, and Pennsylvania were the jurisdictions showing an increase in the number of participating trainees.

In FY 1971, the VA channeled \$12,207,000 in support of these law enforcement trainees. That compares with \$6,110,000 in FY 1970 and \$3,743,000 in FY 1969.

At the end of March 1971, there were 7,294 veterans in on-the-job training as police, a sharp increase



percent of the salary of the job for which he is training. By the veteran's last month of training, he must be paid a minimum of 85 percent of the salary he would receive as a regular employee.

Veterans with no dependents, who are enrolled in a 2-year program, are paid \$108 per month (more with dependents) during the first 6 months of training; \$81 the second 6 months; \$54 the third 6 months; and \$27 the last 6 months.

**Requirements.** Basic hiring requirements for police trainees generally include a personal interview, character investigation, and a driver's license.

The District of Columbia Metropolitan Police, the Executive Protective Service, and the U.S. Park Police have approved programs. Approval has recently been given for training as a Deputy U.S. Marshal. This is a nationwide program that will provide an opportunity for veterans as well as aiding recruiting for the U.S. Marshals Service.

**Personnel.** During FY 1971 a total of 15,264 persons was in training under VA programs for protective service jobs. Of these, 13,433 were training to be police and detectives; 1,093 guards and watchmen, and 738 sheriffs and

A display illustrating programs conducted by the Veterans Administration to combat alcoholism among veterans.

previous years. At the same time in 1970, there were 5,000 veterans in such training.

## Drug Dependence Treatment

The veteran population continues to increase threefold since the return to civilian life of Vietnam veterans. Fourteen percent of the VA hospital load is now made up of younger veterans and it is within this age group that the highest incidence of drug abuse is found.

**Scope of problem.** The VA started its first five drug dependence treatment centers in FY 1971. Thirteen more centers were established in FY 1972, and eight more are planned in FY 1973, for a total of 44 specialized treatment centers. The VA has seen a significant increase in the number of drug-dependent veterans seeking treatment in all hospitals, not just the special drug treatment centers.

Between January and June 1971 there were 3,000 admissions to VA hospitals for care of drug dependence conditions. During the first months of FY 1972 there

19,000 such admissions. More than 65 percent of the cases reported were admissions for heroin addiction.

**Treatment.** Treatment includes a combination of medical, social, psychiatric, and vocational aspects, designed to remove the individual's dependence on opiates and other drugs. The goal is to restore drug-dependent veterans to healthy, normal social functioning and to obviate the criminal and antisocial behavior common to narcotic users. Approximately \$15 million has been allocated in FY 1972 for VA Drug Dependence Treatment programs. In FY 1971, \$10,000,000 was allocated for the first two programs.

Under the program, the drug-addicted veteran is removed from his normal environment, where drugs are readily available, to a treatment institution staffed by trained personnel who treat him as an afflicted individual rather than as an actual or potential lawbreaker.

Typical treatment consists of from 2 to 6 weeks of hospitalization followed by periods of outpatient care. The average hospital stay is 1 month. Methadone, a synthetic narcotic developed as a painkiller in World War II, is often used in connection with withdrawal therapy, followed by methadone maintenance.

Also, there has been marked success throughout in the use of the therapeutic community environment, with self-government by patients and confrontation group therapy. This approach is also being used in the alcohol treatment program.

Research is continuing to seek better methods of treatment and to evaluate the different methods of treatment used throughout the VA.

Treatment is not purely a medical problem. The average hard-drug addict has many problems—emotional, social, legal, and financial. He requires the assistance of psychiatrists, social workers, and job and rehabilitation counselors working together. The ultimate object is not only to get him away from drugs, but to help him keep away from them.

**Goal.** The goal of this program is not only to help the addict return to a productive life, but to bring about a direct reduction in crime by removing the addict permanently from the cycle of thefts and other crimes by which he supported his habit.

## Alcoholism Treatment

The VA operates and staffs the Nation's largest unified system of alcoholism treatment. Specialized treatment

of medical-behavioral approaches is utilized in these units in treating alcohol-dependent veterans.

**Scope of problem.** Alcoholism continues to remain a serious public health problem. In FY 1971, there were 91,000 veterans discharged from VA hospitals having principal and associated diagnoses related to alcoholism. The peak age for alcoholism is 45 to 54. Because there are 25 million veterans from World War II and the Korean conflict, VA officials expect a high rate of alcoholism for several years. VA personnel conducting treatment are confident that at least half the patients treated in these units will respond positively to treatment.

**Treatment.** In this area, also, the VA is seeking new methods of treatment. One hospital is trying a novel approach which is producing somewhat better results than the usual rehabilitation rate of two or three out of 10. The program is aimed at conditioning the alcoholic against excessive drinking and, at the same time, moving him into a different style of life and activity.

The treatment relies heavily on two techniques which have been proven successful in treatment of drug addiction. These are the therapeutic community environment with self-government by patients and confrontation group therapy.

These alcoholic patients, in spite of the age differential, share basic problems with the drug-addicted veterans—loneliness and a lack of self-confidence, and perhaps a lack of self-respect. A patient in group therapy is not alone because he is with fellow victims. In addition, he has help from the members of a sympathetic staff.

Approximately \$13.3 million has been allocated in FY 1972 for VA alcoholism treatment programs. In comparison, \$8.4 million was allocated in FY 1971, and slightly over \$705,000 in FY 1970.

## Direct Law Enforcement Efforts

The VA has no direct law enforcement responsibility except for the security and safety of its own stations. With almost 200 treatment centers and an average daily hospital patient load of 81,000, however, and with hospitals located in 48 States as well as in the District of Columbia and the Commonwealth of Puerto Rico, this responsibility is an extensive one.

Introduction of drugs and alcohol into treatment centers, bomb threats, and attacks on employees are increasing protection problems.

During FY 1971, a force of 711 guards was maintained at an annual cost of \$4.8 million to protect 166 hospitals



Unless otherwise specified, the references to fiscal years in this report are to FY 1971.